CRITICAL REVIEW

VOLUME 8 NUMBER 2 $7.25/Can. $8.75

COMMUNITARIANISM

COMMUNITARIANISM AND LIBERALISM

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CRITICAL REVIEW, An Interdisciplinary Journal, ISSN 0891-3811, CODEN CTRVE3, is published quarterly by the Critical Review Foundation. Indexed and abstracted in *Book Review Index, Current Contents/Social & Behavioral Sciences, Economic Literature Index on* DIALOG, *EconLit on* CD-ROM, *Index to Book Reviews in the Humanities, International Bibliography of Book Reviews, International Bibliography of Periodical Literature, International Bibliography of the Social Sciences, International Political Science Abstracts, The Left Index, Periodica Islamica, The Philosopher's Index, Political Science Abstracts, Public Affairs Information Service (PAIS), Research Alert, Sage Human Resources Abstracts, Sage Public Administration Abstracts, Social Sciences Citation Index (SSCI), Sociological Abstracts,* and *United States Political Science Documents.* Printed on acid-free paper. Available on microform from University Microfilms, 300 N. Zeeb Rd., Ann Arbor, MI 48106. Member, Council of Editors of Learned Journals. **Printed in USA.**

Bookstore/newsstand distributors: B. DeBoer, Inc., 113 E. Centre Street, Nutley, NJ 07110, phone (201) 667-9300, fax (201) 667-0086; Fine Print Distributors, 6448 Highway 290 East, Suite B104, Austin, TX 78723, phone (512) 452-8709, fax (512) 452-8716; International Periodical Distributors, 674 Via de la Valle, Suite 200, Solana Beach, CA 92075, phone (619) 481-5928, fax (619) 259-7580; Ubiquity, 607 Degraw, Brooklyn, NY 11217, phone (718) 875-5491.

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ERRATUM

The middle initial of
Lawrence H. White
was rendered erroneously
on the cover of vol. 7, nos. 2–3.
Our apologies.

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Peter Simpson

LIBERALISM, STATE, AND COMMUNITY

Arguments for and against liberalism are vitiated by failing to distinguish between states (which have millions of citizens) and communities (which have only a few thousand citizens). The state should be liberal or minimal, but the community should not. The state is an alliance of communities for mutual defense and is concerned with matters of defense alone. Two reasons are given for this conclusion, one from Aristotle and one from Hobbes (though Hobbes's argument has to be corrected in two important respects). The community, by contrast, is a moral community and should not be liberal. Two arguments are also given for this conclusion, one from the naturalness of the family and one from the need for moral education. Once state and community have been thus distinguished and described, standard arguments both for and against the liberal state are seen to be correct but misdirected.

The debate about liberalism, libertarianism, minimal statism, or whatever term one prefers, while continually renewed (not least in this journal), nevertheless keeps returning to the same themes. The repeated charge of opponents is that liberalism pays too little regard to the human need for community and substantive goods; the repeated charge of supporters is that any other political system is

CRITICAL REVIEW, Spring 1994. ISSN 0891–3811. © 1994 Critical Review Foundation.

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tyranny. The sophistication and rhetorical skill with which the debate is conducted, while marvelous to behold, only succeed in varying the externals; the substance remains unchanged. In the end it is the same charges that are being made. But if a debate keeps going on, and with the same arguments, or keeps flaring up again after a period of abatement, then it is probably because both sides have got hold of some important truth but have got hold of it only partially and are dividing what should be combined. Truths usually get divided when some crucial distinction is being ignored. At any rate, that is what I think is going on in this case. So let me say what the relevant distinction is: it is that between the state and the community. In my view liberals would be right if what they say were applied only to the state, but they are wrong because they also apply it to the community. Conversely, their opponents would be right if what they say were applied to the community, but they are wrong because they also apply it to the state. To speak more directly: liberalism is only a threat to community and substantive goods when it is applied to levels of association smaller than the state; political systems other than liberalism need only be tyrannical when applied also to the state itself.

By the state I understand such political entities as Japan, France, Poland, the United States, or, in short, all the members of the United Nations. These are entities whose citizens typically number in the millions, or at least hundreds of thousands. In contrast with the state, there are what I shall call, for the sake of argument, communities. In one sense states, too, might be called communities, but I wish to reserve this term for very small groupings of a few thousand people at most. Another term for community would be city as this was used in the ancient world (especially Greece) or medieval and renaissance Italy. But by city nowadays we understand places like London, New York, or Tokyo, which are as large, or larger, than some states. New York City, for instance, has more inhabitants than the Republic of Ireland. Since city conjures up for us the image of a huge metropolis, some other term is needed. Community is admittedly a vague term and can be used for almost any grouping, from the very large to the very small and from the political to the nonpolitical. But this very vagueness is what commends it, for thus lacking any fixed associations, it can be given, in definite contexts and for definite purposes, some precise and narrow sense with little danger of confusing the reader.

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The difference I have drawn between states and communities is simply one of size: states are very large and communities very small. I need not, however, specify how large a grouping of human beings must be in order to be a state or how small in order to be a community. Let the boundaries between the two be vague and even shifting. Nothing in my argument requires them to be definite. The references of the terms can be sufficiently fixed by keeping in mind particular instances. Poland is a state, and so is Japan. Ancient Sparta was a community and so was medieval Florence.

My thesis, then, is that liberalism is properly at home at the level of the state but not at the level of the community. If communities are governed by its principles, they will be destroyed; if states are not governed by its principles, they will be tyrannies.

Why the State Must Be Liberal

A state is liberal or minimal when it confines itself to the minimum necessary to protect groups or individuals from interference in the way they choose to pursue happiness. The minimal state is not concerned with determining what the good life or happiness is, nor with imposing such a life on all. It is not a moral union, and it does not provide any shared vision of the best way to live. It is no more, and no less, than an alliance for mutual defense and protection against enemies, whether external or internal. The minimal state is a fundamentally military phenomenon, and, being defensive rather than offensive in nature, it is fit to provide only negative assistance. Its function is not to help people or communities either materially or spiritually to pursue their vision of happiness (that is, rather, the function of the community), but only to prevent interference from others in such pursuit. When that function has been fulfilled, the state has no more to do than watch against future interference. Defensive alliances of this sort have existed in history and have worked very well, too, though they were not all called states. However, names matter little provided the thing is clear.

There are two main reasons why the state must be minimal in the way stated. The first is derived from Aristotle and is based on the fact that the state is extremely large.[1] A large number of people cannot be well governed with respect to the achievement of happiness or some shared vision of the good life because it is impossible

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for so many to know each others' true moral qualities. Good government, above all in the case of government with a view to happiness, requires that the rulers be good and that the bad or incompetent or corrupt not be given a share in rule. But one cannot know who really is good without intimate and personal knowledge of their life and actions. Television and other elements of the mass media cannot supply such knowledge because they are impersonal. The agents of these media, the journalists, who together determine not only what is published but, more importantly, how it is so (whether truthfully or falsely, fairly or unfairly), are not personally known to the public. So how can the public be sure that they are worthy of trust? Journalism is a sort of acting where the aim is to project whatever persona the occasion demands. So success depends on skill and art, not moral virtue. The same holds equally for those whom the journalists interview and write or speak about. They, too, aim to project a persona, like actors, and they seek to manipulate the journalists, as far as they can, to ensure that the persona they project is pleasing to the public. The true character of journalists and their subjects can no more be penetrated through journalism than the true character of an actor can be penetrated through his acting.

There is no substitute, therefore, for personal acquaintance when it comes to moral character, and as it is impossible to be personally acquainted with large numbers of people, it is impossible in large states to make sure that those who are given office are worthy of it. Likewise, it is impossible in such states for the rulers, even worthy rulers, to be sufficiently acquainted with the ruled to make sure that the common goods are fairly distributed, that abuses are duly and quickly corrected, and that the young are properly educated. Consequently states and rulers of states will do all these things very badly, if at all (as, indeed, experience abundantly shows). But living well depends most especially on such things. So if it is most unjust and most harmful to have the most important things done badly, then it is most unjust and harmful for the state to have authority in these matters.

The upshot of this argument is that either there should not be states at all, or, if there must be states, that their competence should be confined to as few things as possible and preferably to those things whose administration does not require personal knowledge on the part of people or rulers. But such a limited and restricted

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state will be the minimal state as defined above. For, first, the minimal state is a defensive alliance, and defensive alliances are only necessary to meet the needs of defense when the allies cannot effectively meet these needs on their own. Therefore a state that confines itself to such needs confines itself to as few things as possible because it confines itself to that and that alone which makes its existence necessary.

Second, the administration of a defensive alliance does not require personal acquaintance with the moral character of all those in the allied communities. It requires only three things: adjudication of the terms of the alliance to settle disputes, changes to those terms as occasion demands, and enforcement of the terms.[2] These three functions are now standardly referred to by the classic names of judicial, legislative, and executive. All these functions will naturally be carried out by delegates from the allied communities, and doubtless it is important that these delegates themselves be good. But ensuring that they are good cannot fall within the competence of the alliance. For the alliance is posterior, not prior, to the choosing of delegates since it only exists in the coming together of the allies through their delegates. Ensuring goodness in the delegates must necessarily be seen to by those who choose the delegates: the allies. But since the allies are small communities, they have the personal acquaintance, as the alliance does not, to make judgments about character. The concern of the alliance, or the assembled delegates, is confined to the exercise of the functions of the alliance. But the exercise of these functions does not require personal acquaintance, not even of the delegates from other communities—let alone of everyone in those communities. It only requires the delegates to know the terms of the alliance and to care about its success. Love of their own communities ensures that the delegates care about defense and hence about the alliance that is meant to provide it. A written document can ensure that they know the terms.

There may, of course, be many ways of organizing such assemblies of delegates and of distributing the three functions among them, and special attention must be given above all to the common military force and its commanders. But models of how to arrange these matters can be found in the history of many peoples (as of the Dutch or Swiss), and human ingenuity can be relied on to invent others either *de novo* or by adaptation of what already exists. Doubtless any model will have its problems and will need correc-

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tions from time to time. No system is foolproof, and no system can be relied on to last forever. Human affairs are subject to infinite shocks and changes, and what works well here and now may not work well there and then. But my thesis does not require that the minimal state be easy either to establish at the beginning or to manage afterward. It only requires that the minimal state be possible and that it not need the sort of personal acquaintance and moral care that marks the pursuit of happiness and the good life within the community.

The second reason for the minimal state is borrowed from Hobbes and is based on the idea of the war of all against all.[3] The minimal state, in its form as a military alliance for mutual defense, is necessary in order to prevent those who disagree about the good life and how to pursue it from fighting each other to the death. For to be devoted to some vision of the good life is to be opposed to other visions that are different or contrary to it. These other visions are, by comparison, wrong and evil. Opposition to or hatred of what is evil accompanies devotion to the true good and is a test of sincerity. Such opposition and hatred is typically (if not always justly) transferred from the evil to the persons who embrace it. They, too, become enemies along with the evil, and to root them out or convert them is conceived as a sacred duty or as cause for a holy war. The intensity of such opposition varies according to circumstances. If the followers of the true good are the vast majority, and dissidents are few, harmless, and unobtrusive, then the opposition may be fairly mild. In such a case the dissidents might safely be left alone, though carefully watched over and of course denied a share in political rights, above all in rights to rule. For where rule is all about achieving the good life, it cannot be allowed to fall into the hands of those who do not embrace the good life. But if, by contrast, the dissidents are many and assertive, and wish themselves to be the dominant group, then the opposition will become violent. If, further, there are many different sets of dissidents pursuing many different visions of the good, and if no one or no group is sufficiently large or powerful to impose its will, a war of all against all is virtually inevitable.

To avoid this war, it is not necessary to destroy or attack allegiance to visions of the good life (as Hobbes did), but it is necessary to mitigate the passion of such allegiance or at least deprive it of weapons. The state is designed to perform this task. It uses its

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superior force to impose peace on all the warring factions and to prevent any of them from dominating others. The state gets its superior force, according to Hobbes, through a contract, made by all the parts, to concede their force, and their right to it, to some agreed-on sovereign who then uses it to protect them all from each other in the way described. But a state might also get its superior force from outside. Some foreign people or nation might intervene and impose peace, arbitrating internal disputes in a similar way. Historically, such imperial rule has been the most common and most effective way of imposing the necessary peace. Of course not all empires are benevolent or tolerant (the Soviet Union was a case in point), but enough have been to prove that the thing is in principle neither impossible nor undesirable.

In the formulation of this Hobbesian argument for the minimal state, however, two errors are typically committed, and both go back to Hobbes himself. The first is to make the argument apply to individuals rather than communities. Hobbes supposed that human beings existed by nature in a condition of war with each other, and that the foundation of any association was the agreement by such individuals to band together for mutual defense. But individuals cannot by nature begin in a condition of isolation or war. For, to mention nothing else, individuals must first be born, and birth by nature takes place within families. Families include grandparents, uncles, aunts, cousins, and so on, as well as parents and children. They exist naturally as extended groupings united by the closest ties of blood and friendship. Of course individuals can choose, after they are born and grown up, to live as isolated individuals, expressing hostility or indifference to others, but they will not be fulfilling their nature or completing their beginning by so doing.

Consequently, even if Hobbes's natural state of war is taken, as many now take it, to be a heuristic or theoretical device and not an historical reality, it is still false. It is false as an account of human nature, not merely of human history. Accordingly, it cannot explain why individuals do or should form communities. It might, however, explain why some communities do or should form states. For since communities may often be at war with each other, and since these wars may be savage and long drawn out, exhausting victor and vanquished alike, to end them and agree instead to live in peace, tolerating each other's differences, may make perfect sense. To guarantee such peace by agreeing further to combine into

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a military alliance whose job it will be to enforce the conditions of the peace may also make perfect sense. In this way the allied communities will be protected from each other (should some community begin to get out of hand) and also from external enemies.

The second error in Hobbes's argument is to suppose that it depends on the premise that there is no ultimate or final good for human beings. For if there were some such good, the reasoning goes, and it could be definitively known, then the state would be obliged actively to promote it and to prevent the pursuit of other visions or interpretations of this good. The state would thus cease to be minimal. But in fact the Hobbesian argument only needs the premise that the attempt to impose the good on everyone, including those who do not accept it, will ultimately generate something like the war of all against all. So whether there is such a good and whether it can be known are irrelevant questions. All that matters is the question whether imposing such a good will cause peace or war. If it will cause war, then the state should refrain altogether from it and confine itself to imposing the minimal conditions of peace. It should leave each community alone to act as it wishes, requiring them all only to accord to others the same freedom they claim for themselves.

Of course, if imposing the good would not cause war, then the Hobbesian argument would provide no reason for the state to be liberal or minimal; that is, no doubt, in part why proponents of this argument have wanted to rest it on the other premise about there being no knowable final good for human beings. But one problem with this other premise is that it forces liberals to get involved in the dispute about the good (since they must argue that there is no such good). Far better if they can distance themselves from this dispute by declaring instead that, however the question about the good is decided, it will not furnish the basis for a peaceful state. Nevertheless, this revised Hobbesian argument will not be effective as an argument for liberalism if those within a given state are sufficiently homogeneous or sufficiently weak not to resist. Nor will it be effective if those within the state care more about imposing the good than about peace (for if liberals have to assert on their own behalf that peace is preferable instead of being able to assume this as something already and independently agreed on, then they are, after all, getting involved in disputes about the good and becoming partisans instead of arbitrators). But then all this only

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shows the necessity and superiority of the Aristotelian argument, for its defense of liberalism is not dependent on variable circumstances but on the essential conditions of good rule.

Why the Community Must Not Be Liberal

The preceding discussion naturally leads to the question of the communities whose alliance for mutual defense constitutes the state. That these communities must not be liberal can also be shown in two ways, first from the fact of the family. The family (and not Hobbes's state of war), as already stated, is the natural condition of human beings because it is the condition they are and must be born into. But families and the extended communities they spawn are naturally bound together in the love and practice of certain goods and concrete ways of life. Cultural and, above all, religious allegiances; exclusivity with regard to outsiders; and bringing up children to follow in the path of parents, encouraging them to marry among their own kind, and educating grandchildren in the same way are altogether illiberal in spirit and execution. But such things are not thereby bad. On the contrary, they are most good and desirable as creating those ties of love and belonging that give human existence substance and meaning and make possible the pursuit and achievement of happiness. All of us have and enjoy such things to a greater or lesser extent, but if they are lacking or severely limited, or if the family and its associated communities have disintegrated, the resulting isolation, alienation, and fear are most destructive of human happiness. The collapse of the family, indeed, can be put down as a main cause of so much crime, ignorance, poverty, drug addiction, and insolence among the young (particularly in the United States).

A second argument that communities must not be liberal can be drawn from this last-mentioned fact about the need for moral education. To acquire good qualities of character, such as patience, kindness, honesty, justice, diligence, self-control, respect for others, and the like—on which public and private happiness so much depend—requires long and hard training. Such qualities do not come easily; on the contrary, tendencies toward selfishness and laziness seem innate and can be observed, and need to be corrected, in the youngest children. To overcome these tendencies and to

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instill the desired good qualities requires an extended process of habituation. Human will power, save in the case of really exceptional people, is not strong enough on its own to sustain a long period of hard and painful training. There must be external support, and that support must take the form of forced discipline and constraint. But only in narrow or closed communities, where the older are able to exercise tight control over the younger, can the necessary discipline and constraint be properly applied. And what is thus true of moral qualities holds no less true of intellectual ones, as in the arts and sciences, where skill and excellence seldom develop except through enforced practice and learning from an early age.

Communities must therefore be illiberal and intrusive, and only the state, or the alliance, must be liberal and minimal. For the alliance only exists and is only created to preserve the communities. It does not exist to govern or rule them. They do that themselves. The state only has the duty to interfere to the extent required by the preservation of the alliance and of its constituent communities. Indeed if communities could survive on their own, with little fear of being overwhelmed by exterior and more powerful forces, there would be no need at all for the state. The state, unlike the family, is not a universal or natural phenomenon. Its present universality is an accident of history. Perhaps one day it will cease to be the dominant norm, and small communities (like ancient and medieval cities) may again flourish and survive on their own without having to band together into huge alliances for mutual protection.

That Most Critics and Defenders of Liberalism Are Wrong

Such an account of state and community, their nature, difference, and duties,[4] neatly avoids the criticisms that liberals and communitarians direct against each other. To illustrate, let me take a recent instance from this very journal: Ryszard Legutko's critique of Nozick's liberalism as expounded in *Anarchy, State and Utopia*.[5] Nozick defends the classic idea of liberalism or the minimal state more or less in the sense defined above. But Legutko focuses his criticism on Nozick's idea of utopia: that in the liberal state individuals will pursue any and every vision of the good life they may care to. Legutko regards this idea as reducing human existence to life in a

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department store where there is an abundance of goods of all sorts and where everyone spends their time flitting from one good to the next. He recalls the description of the democratic man found in Plato's *Republic* and comments that such a man has no real commitment to anything. The democratic man could, says Legutko, be a religious poet in the morning, an atheist philosopher in the afternoon, and a thrifty bourgeois in the evening. But such a man could only be all these things because he is not any of them and does not care about any of them.[6] He is, in reality, a superficial and aimless dilettante. In other words, Nozick's utopia only preserves all the particular goods by making it impossible for anyone to take any of them seriously.

Legutko, however, is not opposed to diversity. His complaint is rather that Nozick goes too far in one direction. We are not compelled to choose, Legutko says, between totalitarian dictatorship and the minimal state, between a gigantic prison or a gigantic department store. If we want to avoid the first we do not, he contends, have to go to the other extreme. A more rational middle position should be developed that avoids both excesses.[7] In the article in question, Legutko does not specify what such a position might be, though in a later article he suggests a mixture of liberalism and civic republicanism.[8] What he wishes is to give to the state a more interventionist role in promoting a vision of how to live well. He wants, in short, to collapse or blur the distinction between state and community that I drew above. He is able to do so, however, because he considers only the Hobbesian argument for the liberal state and not the Aristotelian one as well. Moreover, he understands the Hobbesian argument as Hobbes did, that is, as requiring the premise that there is no ultimate good for human beings and as applying directly to individuals. If liberalism is understood in this way, then the consequences Legutko alleges do follow: the state is reduced to a gigantic department store that destroys all goods by destroying the possibility of taking any of them seriously. Since Nozick adopts such an understanding of the argument for the minimal state, Legutko's criticism is successful against him.

Nozick's defense of liberalism, however, is no less in error than Legutko's attack on it. For if liberalism is not defended on the Nozickian ground that there is no ultimate good, and if the state is understood as an alliance of communities and not of individuals,

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then there need be no danger (as Legutko alleges there must be on Nozick's theory) that commitment to liberal tolerance will undermine or prevent devotion to some vision of the good life and to particular communities. In such a case one's commitment to liberal diversity will be a secondary and pragmatic commitment, generated and fueled by one's prior and primary commitment to the community. For seeing that modern conditions make the survival of small communities impossible on their own (unlike in ancient Greece or medieval Italy), the needs of survival require union with other communities in a defensive alliance. But precisely because one's care and love is to the community, and only to the state for the sake of the community, one will only want from the state, and only tolerate from it, minimal authority, namely, the authority necessary to preserve the defensive alliance. Any more extensive authority or interference will rightly be resisted as a threat to the good of the community.

I might add that the same errors arise again in Jan Narveson's reply to Legutko's article and Legutko's rejoinder (both in CRITICAL REVIEW).[9] Narveson defends the liberal state in the usual individualistic way, and Legutko attacks this liberal individualism in the usual communitarian way. But it seems to me that Narveson's (and Nozick's) liberal state is no less interventionist than Legutko's republican one. For the effect of the liberal state understood individualistically is, whether in theory or practice, to undermine or destroy communities (as Legutko correctly contends). In other words, it *imposes* liberalism *all the way down* and does so despite the fact that liberalism at the level of the community is not desired by everyone and is not good for anyone. Liberalism in this sense is a species of tyranny and all the worse a tyranny for claiming to be the only form of rule that is free.[10] But Legutko's state is no better (or only better in not claiming to be what it is not), for the state is simply unfit, because too large, to be more than a military alliance.

* * *

The vision of the liberal or minimal state I have outlined, while perhaps unusual, is, I contend, an authentic and true vision, a vision that does reduce the state to its minimum. In fact, I think it is the only one that does so (individualistic liberalism being too interventionist, as I just said). It is, anyway, the only one I find at all defensible. But most liberals, too much under the influence of

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Hobbes, have distorted this vision into one of a Nozickian department store. The true vision may be found instead in Aristotle's *Politics* (albeit implicitly), and in the distinction he draws between a city (the community) and an alliance (the state).[11] Ancient Greece under Philip and Alexander may be an instance of such an alliance,[12] as might certain periods in the history of Switzerland and the Low Countries as well. The original inspiration of the United States seems also to have been of the same sort, but it has been compromised too often and too much in the intervening years. Recent attempts to reverse the trend have met with little success.

You may say that I am a voice crying in the wilderness, pleading for a hopeless cause. The world now has become too small through technological advances, especially in travel and communications, and too dependent for its needs on global capitalism, with its sprawling conglomerates and massive production lines, to allow narrow communities of the sort I have in mind to flourish or even to exist. The public media easily cross any barrier and carry with them common images and messages that can only undermine local traditions and local allegiances and instill in everyone the same ideas and the same passions. Indeed, even huge states cannot resist the foreign influences conveyed by the media (witness the former Soviet Union with respect to the media of the Western democracies). Small communities must therefore be even less able to do so. As for global capitalism, for the sake of economic prosperity no community could avoid becoming involved in a thousand complex and intimate ways with other communities, and with states, and these ways must undermine any independence it might seek to retain.

But one should not overestimate the power of the mass media or global economics nor underestimate the strength of local loyalties. There are groupings of people throughout the world, political and nonpolitical, that have retained many of their old traditions and old allegiances (witness the ethnic strife currently consuming parts of the collapsed Soviet empire). Moreover, there are communities that interact economically with the world outside, yet retain a great deal of independence (e.g., the Amish in Pennsylvania and elsewhere). Besides, if communities must come to agreements for the sake of defense, then they may also do so for the sake of economic prosperity, yet still remain separate as communities. The economic arrangements may, of course, need to be altered in many ways from

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what they are now, but what is central to the being of communities is ethics, not economics, and if they must be more open in the latter, that need not prevent them being more closed in the former. Finally, we ought to remember that there are no iron necessities in history. The future will be what we choose to make it, and we can choose to make it more or less open to the flourishing of independent communities. Our options may be limited, of course, and it may be that the vision of the liberal state as a defensive alliance of illiberal communities will never be fully realized. Yet we could surely get a lot closer to it than we have.

NOTES

1. My argument in what follows is derived from Aristotle, *Politics,* bk. vii, ch. 4.
2. The terms of the alliance are, of course, decided by the allies with a view to their mutual survival, and there may be considerable variation in the sorts of terms that different allies choose. Where they have little in common, the defensive measures may cover few things. Where they have, by contrast, much in common, these measures may be made to cover more things. In the first case, for instance, the alliance would not undertake to defend a common religion (as in the United States with its separation of church and state). In the second case, it might (as in medieval Christendom). Still, even in this second case, the alliance would not undertake to teach or manage religious life (that would belong to the allied communities), but only to defend it against attack. For the state might be minimal in two ways: by confining itself to defense and by confining its defense to few things.
3. Thomas Hobbes, *Leviathan,* chs. 11 and 13.
4. Cf. Peter Simpson, "Making the Citizens Good: Aristotle's City and Its Contemporary Relevance," *Philosophical Forum* 22, no. 2 (Winter 1990): 149–66, and idem, "Liberalism: Political Success, Moral Failure?" *Journal of Social Philosophy* 21, no. 1 (Spring 1990): 46–54.
5. Ryszard Legutko, "Society as a Department Store," CRITICAL REVIEW 4, no. 3 (Summer 1990): 327–43.
6. Ibid., 339–40.
7. Ibid., 343.
8. Ryszard Legutko, "The Free Market in a Republic," CRITICAL REVIEW 5, no. 1 (Winter 1991): 37–52.
9. Jan Narveson, "Shopping-Mall Liberalism: Reply to Legutko," CRITICAL REVIEW 5, no. 1 (Winter 1991): 129–34; Ryszard Legutko, "Shopping-Mall Liberalism: Rejoinder to Narveson," CRITICAL REVIEW 5, no. 1 (Winter 1991): 135–37.

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10. Cf. Jeffrey Friedman's critique of traditional defenses of liberalism in his "Postmodernism vs. Postlibertarianism," CRITICAL REVIEW 5, no. 2 (Spring 1991): 145–58. One might also note that James Sterba's attempt to show that, paradoxical though it may seem, the minimal state should, according to its own premises, transform itself into a welfare state, only works, if it works, against the minimal state construed in an individualistic way (James Sterba, *How to Make People Just* [Totowa, N.J.: Rowman and Littlefield, 1988]).
11. See, in particular, Aristotle, *Politics*, bk. iii, ch. 9, but also bk. ii, ch. 2.
12. As I suggested in my article on Aristotle's city mentioned in n4 above.

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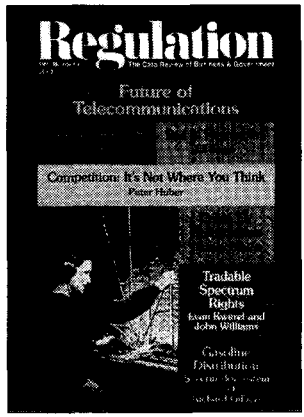

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James Hudson

INDIVIDUAL AND COMMUNITY: CHARLES MURRAY'S POLITICAL PHILOSOPHY

Charles Murray's political philosophy is utilitarian, individualist, and communitarian. The basis for his success in making these components cohere is his account of happiness, inspired by the motivation theory of Abraham Maslow. Murray claims that belonging to a community and self-respect (which on his analysis require a certain social commitment) are constituents of happiness. Hence utilitarians should attribute special value to community. He also argues that active national governments are inimical to the formation and functioning of communities, and that communities are fostered by governments that observe the constraints of liberal individualism.

Charles Murray is a classical liberal who celebrates the importance for human happiness of the sense of belonging to a community. This would seem to reflect some tension in his thinking: his conservative-libertarian policy prescriptions suggest an "individualistic" inspiration, but his stress on the importance of community has "collectivist" overtones. Somewhat less surprising, though still rather unusual, is Murray's combination of *utilitarianism* with conservatism/libertarianism. To be sure, there are distinguished forerunners in this enterprise, notably John Stuart Mill and F. A.

CRITICAL REVIEW, Spring 1994. ISSN 0891–3811. © 1994 Critical Review Foundation.

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Hayek. But to most thinkers there seems a natural affinity between utilitarianism and socialism, so that a libertarian is more or less forced to adopt a rights-based moral theory. Murray does not share this view. Of the two labels, *communitarian* and *utilitarian*, which I have applied to Murray, the latter is clearly more basic. As we shall see, the sense of community is important for Murray just because of its role in contributing to individual happiness.

It may be said at once that as a social philosopher Murray, in contrast to most communitarians, avoids grand abstractions. He has nothing to say, for example, about the Hegelian idea, revived by Michael Sandel,[1] that the community is metaphysically prior to the individual. Murray's only metaphysics lies in an implicit acceptance of common sense, according to which a community, nation, or other such collective entity is composed of independently existing and identifiable individual people. But it is not for any light he might throw on the metaphysical communitarians[2] that we read Murray, but for his more concrete perceptions of and scientific insights into politics and society.

In discussing his political thought, I will focus on Murray's magnum opus in social philosophy: *In Pursuit: Of Happiness and Good Government* (New York: Simon and Schuster, 1988).[3] His other major works, *Losing Ground: American Social Policy, 1950–1980*[4] and *A Behavioral Study of Rural Modernization: Social and Economic Change in Thai Villages*[5] focus on narrower topics, and need be mentioned only in passing.

Of the latter two books, it is (surprisingly enough) the rather obscure volume on Thai economic development (*A Behavioral Study*), rather than the best-seller on American Great Society programs (*Losing Ground*), that has more relevance to our present topic. Murray's experience in Thailand—in the Peace Corps and as a social scientist/researcher—seems to have colored his view of society in general.[6] Traditionally most Thais have lived in villages that are rather tightly organized. The increasing strength of the central government in recent decades has tended to undermine these village organizations, at a cost that may be higher than any gain to be had from centralization. Thus Murray, in *A Behavioral Study*, urged that Thai political leaders try to maintain a decentralized governmental structure as they pursued economic development and modernization.

The village organization is based on a sense of community,

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which means that the people know each other; live near each other; and have common interests, traditions, and values. Murray is so favorably impressed with this form of organization as to advocate that social and governmental functions be entrusted to such units as far as possible. He implies that no one who really understood the value of community would favor replacing village organizations by a strong central government.

On a political continuum that places pure international socialism with all decisionmaking power entrusted to one world government at one end, and anarcho-libertarianism, with decisionmaking power entirely in the hands of people acting as individuals at the other, Murray would be found toward the libertarian end, but not at its extreme. Like most political theorists, he favors giving substantial power to institutions intermediate in scope between the individual and a world government. He nevertheless may be considered close to libertarian individualism, because the intermediate institutions he favors are of quite small scope—villages and suchlike communities. Furthermore, he thinks that if people are given large amounts of freedom, then they will naturally form community organizations, given their inherent need for belonging to a community, while it is unlikely that community organizations with real power will emerge from a political system with a strong central government.

The point is not that village organization is best because it is *traditional*; Murray is not an ideological conservative. Nor, to repeat, is it that the village is the metaphysically basic, proper unit of assessment. The point is, rather, that life in a villagelike community is better *for the individual* than life as a dissociated atom in a large nation-state.

Thus *In Pursuit* attacks strong central government and, in particular, socialism and the welfare state. In trying to explain why socialist and welfare-statist policies do not work as advertised, and why something like laissez faire is preferable, Murray relies in part on familiar conservative-libertarian prescriptions presented in a fresh and attractive form; more important, he finds unfamiliar but plausible bases for his critique of centralization. The argument, I shall claim, has some gaps in it and is not quite satisfactory as it stands, but it is still impressive, interesting, and thought provoking.

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Giving and Measuring Happiness

In keeping with his commitment to utilitarianism, Murray views *happiness* as *the* proper goal of social policy. Happiness is to be understood as that which we want for ourselves and, if we are benevolent, for other people. It is also called *quality of life* or *well-being*; it is the proper referent of such older philosophical terms as *the end in itself*, *the intrinsically valuable*, and *eudaimonia*. The makers or critics of public policy need, above all, the best possible understanding of happiness and of its likely causes and concomitants.

The central point of *In Pursuit* is that for the most part happiness is not something that can be *given* to people, as wealth can be; rather, they must attain it through their own exertions. The proper role of a government can be no more than to provide people with certain preconditions for their own happiness-generating activities. (We may follow Murray in calling such activities "the pursuit of happiness," though strictly speaking the phrase is not quite appropriate, as we shall see.) Rather than trying to give happiness to its people, government should confine itself to enabling them to "pursue happiness" on their own. Good public policy will indeed result in more happiness, but the causation will be indirect.

Not only is paternalistic (directly happiness-giving) government futile, it is positively dangerous. On average the individual can be relied upon to do a pretty good job of securing her own happiness, while at the same time making a mostly positive contribution to the efforts of others to do likewise. But putting some people (the government) in charge of securing happiness for other people (the rest of us) will often lead to disaster or, at best, disappointment. "Humans acting privately tend to be resourceful and benign whereas humans acting publicly are resourceful and dangerous" (18; cf. 164).

This last point is a staple of libertarian social theorizing. Leaving aside rights (as Murray does consistently), the point is commonly supported by pointing to differential knowledge and motivation. Almost everyone has a pretty good idea what activities will make her happy and how to engage in them; and she naturally has a powerful self-interested component in her motivational set which inclines her to these activities. Here Murray adds that, since living in a community and cooperating with others is both fulfilling in itself and part of the means to other aspects or components of

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happiness, she will almost surely not want to ride roughshod over the interests of nearby others. And, of course, she is not likely to have the power to greatly affect distant others.

But give a person political power—let her act publicly instead of just privately—and she will be acting with less knowledge and weaker motivation. One's natural benevolent impulses are weaker than one's self-interested motives; and one's knowledge about which public policies will truly benefit others is thinner and less accurate than one's knowledge about which private actions will benefit oneself. Thus public (political, governmental) actions tend to have worse consequences than private ones, and this tendency is the stronger the larger the political unit.

However, in Murray's view this is only part of the argument, and not the more important part. As we shall see, he also offers a deeper reason why governments should confine themselves to providing freedom, rather than attempting to supply happiness directly.

Happiness, like freedom, resists measurement, yet it is more important to us than anything we can measure. We evaluate policies by measuring other quantities that serve as rough proxies for happiness; but (says Murray) the usual ones are *too* rough. We can have more people above the poverty line, more people covered by health insurance, more people in shelters rather than on the streets—but less happiness; and it is not implausible to suppose that the policies followed by "progressive" governments produce just such results.

Murray is especially opposed to using wealth as a proxy for happiness. He claims that self-respect and community are just as intimately related to happiness as is wealth (though none is related to it *analytically*), that what relation there is between wealth and happiness is quite complicated, and that in general there is no reason to expect a strong positive correlation between these two quantities. Therefore he urges that social policies not be judged by their tendency to promote wealth. (Even more obviously, policies should not be judged by their effect on the degree of equality of wealth distribution.)

Unfortunately, Murray is not able to offer a proxy for happiness that will work better than wealth. Self-respect and community are no easier to measure than happiness itself, and since their correlation with happiness is not specified—and appears to be quite complicated—they seem unpromising candidates for the role of

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proxy. Even using wealth as our proxy does not make it easy to evaluate a social policy, since one must know not only how rich people are under the policy but how rich they would have been under alternative policies. Rejecting wealth as a proxy for happiness threatens to leave us with no way at all to evaluate social policies. (The only other readily measurable proxy that seems at all plausible is longevity, but I doubt that it would serve better than wealth.)

But Murray seems to think that policy evaluation is still possible, even if we acknowledge that the best available proxies for happiness are so bad as to be useless, for we can always fall back on trying to estimate happiness directly. Of course this cannot be done very precisely, but it will give us a rough idea of the worth of alternative policies and will save us from the false precision that afflicts most efforts at policy analysis. Impressionistic policy evaluation—if that is the best we can do—is still better than nothing.[7]

We are not surprised that a utilitarian should make no use of the notion of "human rights" or "natural rights." It is more remarkable that Murray also downplays the argument that laissez faire makes for greater material productivity; but this is consistent with his rejection of wealth as a proxy for happiness. His inspiration is from psychology rather than economics. He evidently believes that psychologists, by shedding light on the nature and causes of happiness, have provided us with premises from which political conclusions can be drawn. His merit is to have made the argument explicit.

Defining Happiness

It is not really necessary for Murray to offer a philosophical analysis of the concept of happiness, since a crude, everyday understanding of the concept is probably sufficient for his purposes. Thus he can afford to side-step academic disputes about the true nature of happiness.[8] His real concern is with the practical question: what ordinarily are the most likely causes of happiness; that is, how, in practice, can people probably best achieve happiness? Still, theoretical clarity can do no harm. Accordingly, Murray discusses what he takes to be the leading philosophical traditions concerning happiness, and offers his own definition.

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First he takes up Aristotle's view that happiness consists in the exercise of one's talents (capacities, abilities, virtues), and is not to be identified with pleasure and the absence of pain. This conception would seem to suit Murray's purposes admirably; in treating happiness as a certain sort of activity, it supports his point that our happiness is determined by what we *do*, and cannot be *given* to us. But (I think) Murray is right not to embrace Aristotle's view, however sympathetically it strikes him. First, it seems incoherent to offer an *activity* as the end at which our actions should aim. Second, Aristotle's conception is too far removed from what we mean by "happiness" (or "well-being") to be a plausible analysis. (Of course, Aristotle did not use those terms; my point is that they are inappropriate as translations of Aristotle's use of *eudaimonia*.)

Next comes the Lockean or classical utilitarian tradition, which does identify happiness with pleasure minus pain, or at least with the quality of one's experience. (Hobbes—or, indeed, Aristippus and Epicurus—might have been given priority over Locke.) Murray has some reservations about this tradition, but he adds that so long as different *qualities* of pleasure are recognized as important (along with quantities), he can accept the Lockean approach. Indeed, we might (I suggest) combine Locke and Aristotle, by holding that happiness is the kind of experience that typically *accompanies* the activities that Aristotle spoke of.

In the end, Murray proposes that happiness be defined as "lasting and justified satisfaction with one's life as a whole" (44). The term *satisfaction* marks this definition as in the utilitarian tradition of locating happiness in the experience of the individual. But the term *satisfaction*, I want to argue, is not well chosen to characterize this experience.

It seems to me that satisfaction involves a hypothetical comparison: whether I am satisfied to have done a particular action or to have had a certain experience depends on what my alternatives were. I should be completely satisfied with the action if it was the best I could have done, at least somewhat dissatisfied if I had a better alternative available. (The same can be said of an experience.) If this is correct, I think we should hesitate to define happiness in terms of satisfaction. One's happiness, I should say, is determined by what she does—or, more likely, by what she experiences—*regardless of any merely hypothetical alternatives.*

As a test case, suppose that Jones and I both attend State Univer-

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sity, and the quality of our experience there is the same. Then, I should say, we are equally happy—even if I could have been admitted to Harvard, where my experience would have been even better, while Jones did not have this alternative. But we should not be equally *satisfied* (assuming we know the relevant facts): Jones did the best she could, while I threw away a chance for a better experience.

Perhaps Murray would put a different gloss on satisfaction. Perhaps he would say that one should be somewhat dissatisfied to have done an action even if it was the best available, because one should regret not having had a better alternative. Then, to the same extent that I should be dissatisfied with my experience at State University (given the possible Harvard alternative), Jones should be dissatisfied with *her* experience (for she should regret that she *did not have* such an alternative). But my real point concerns happiness: clearly *it* should be a matter of the subject's actual activity or experience regardless of hypothetical alternatives. This point is important when we come to compare degrees of happiness across generations or across cultures or, more generally, when we compare the levels of happiness of people who are in very different conditions, with very different opportunities.[9]

Murray embraces another Aristotelian point (more clearly expressed by Bishop Butler in his Eleventh Sermon),[10] namely that happiness is better obtained by those who often forget about it and consciously aim at something else. It seems paradoxical to set up happiness as *the* thing of intrinsic value, *the* appropriate object of desire, and then to add, "Oh, by the way, forget about it and aim at something else"![11] Furthermore, Murray's talk of "pursuit of happiness" suggests taking happiness as one's conscious objective. But to accommodate the Aristotelian-Butlerian point, we must understand "pursuit of happiness" in a less direct sense; we must suppose that people can pursue happiness while withholding from themselves full consciousness of their goal—while consciously aiming at some other end.

It needs to be remembered, too, that people really should be aiming, utilitarian-style, at the *general* happiness, not just at their own. But Murray has already expressed his view that people are more successful at generating happiness if they concentrate on themselves or, at most, on a narrow circle of people with whom they are intimate; so tactically there will be little difference between

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a utilitarian and an egoist. Furthermore, as we shall see, there turns out to be a moral—or at least other-regarding—element in one's own happiness, so that aiming at the latter does not entail, but rather is inconsistent with, ignoring the well-being of others.

In a moment I shall examine the use that Murray makes of Abraham Maslow's motivation theory, which posits a hierarchy of needs.[12] For now let me remark that Murray's use of Maslow's model evidently rests on a background assumption: that one is happy to the extent that her needs (as outlined by Maslow) are satisfied. This is the crucial premise about happiness that Murray's argument requires, and might have served in place of a definition.

Enabling Conditions

Besides happiness, Murray leans heavily on the concept of *enabling conditions* for the pursuit of happiness; though he tends to avoid it, the term *freedom* would seem to fit this concept pretty well. Murray wants to grant that a government must do more than merely not interfere with its citizens' pursuit of happiness; it must enable them to be happy or to pursue happiness: " 'Pursuit' requires that certain conditions prevail. . . . You cannot pursue happiness effectively if you are starving or suffering other severe deprivations" (28). In the absence of these conditions, Murray shrinks from calling you "free" to be happy or to pursue happiness.

Murray's view is that in order to do its job (to make you *really* free), the government may have to give you certain things, to ameliorate certain conditions that, perhaps, it did not itself create. It is not enough that the government stay out of your way (and keep others out of your way); you may have no "way" to happiness, in which case the government ought to provide you with one. Some examples of the government's responsibilities: if you are starving, it must feed you; if you are dying from a curable disease, it must give you medical treatment; if you are unemployable because illiterate, it must educate you. It is clear that Murray has these examples in mind. It is unclear how far such examples may be extended, and thus his notion of "enabling conditions" suffers from vagueness (of which Murray is well aware; see 52).

This vagueness carries over to his conception of the proper limits of government, based as it is on the doctrine that a government's

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responsibility is precisely to provide its citizens with these "enabling conditions." If someone is not starving but just mildly uncomfortable from a paucity of food, or not dying but just mildly inconvenienced by a minor disease (skin rash, trick knee, etc.), or not illiterate but merely not as well trained as she might be, the government should (Murray suggests) be justified in saying: "You already have all the requisites for the pursuit of happiness; we have no obligation to give you anything further—the rest is up to you." But to know that this response is justified, we must know how the line is to be drawn between mere inconveniences and what we may call "disabling conditions." (Where this line should be drawn is what Murray calls a "threshold" or "baseline.")

He writes:

> "Ability to pursue happiness" will be treated as meaning that no one and no external objective condition controlled by government will prevent you from living a life that provides you with happiness. (28–29)

It is important to notice that we can apply this definition only if we can tell whether the best a person is able to provide for herself is positive happiness, or merely a lessening of her degree of unhappiness. In other words, Murray's concept must provide an absolute distinction between happiness and unhappiness, rather than merely a continuum of degrees of happiness. Two further remarks: First, I think we ought to omit the words "controlled by government," though doing so will change the content of the definition. I suggest that if you (know that you) have no way of making yourself happy, then you lack the "ability to pursue happiness," whether the government can affect your situation or not. If you are on the verge of dying from AIDS, you lack the ability to pursue happiness, though the government, being unable to cure AIDS, has no control over your situation. (Of course, if the government cannot affect your situation, it has no responsibility to do anything about it.) Second, we may omit the words "no one and" without loss, since from one person's point of view other people are "external" and "objective." (And normally they are "controlled by government," though presumably we have already deleted that phrase.) In short, you are able to be happy or to pursue happiness just in case no external objective condition prevents you from doing so.

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Since the disabling conditions that prevent someone from being happy must be external, they could not be malnourishment, illness, or ignorance: these are evidently internal. The disabling conditions must be external conditions that prevent the individual from overcoming or improving upon such internal conditions.

What if the individual's own improvident actions have put her in a situation where she cannot obtain happiness, but there is still something the government could do to change her circumstances so she could become happy? In many such cases we might be inclined to doubt the government's obligation to help; the person in question may be one of the "undeserving" poor, ill, ignorant, and so forth. Though he probably shares these sentiments, Murray's theory makes no allowance for them; instead it lumps together the deserving and the undeserving sufferers from disabling conditions.

Surprisingly, Murray nowhere addresses the question of *tradeoffs* in specifying the extent of the government's responsibilities. Can we really saddle the government with a duty to raise my conditions over the threshold if doing so would push someone else's back below it? It would seem that Murray, as a utilitarian, should have had more to say about the possibility of sacrificing one person's happiness or ability-to-pursue-happiness for the sake of others'. But I think he would say that the imagined tradeoff will not arise in practice. If the responsibilities of government are really minimal, carrying them out is unlikely to call for great sacrifices on anyone's part.

But whether the government's responsibilities are indeed minimal will depend on where the threshold level of happiness—the boundary between happiness and unhappiness, positive and negative—is set. It is a crucial omission from Murray's treatment of happiness that he did not specify this level.

Maslovian Thresholds

The framework for Murray's extensive discussion of happiness, "the pursuit of happiness," and "enabling conditions for the pursuit of happiness" is supplied by Abraham Maslow's theory of the hierarchy of needs. Murray's use of Maslow's motivation theory is extremely effective; though doubts may be raised about some features of the theory, it is sufficiently clear, definite, and plausible to

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ground an impressively detailed account of what is involved in obtaining happiness.

Maslow's theory of motivation is "that the basic human needs are organized into a hierarchy of relative prepotency."[13] Only as the basic, or lower-level, needs are (largely) satisfied do the higher-level needs come into play; until then, the latter are merely potential motives, not actual ones. We may extend this theory of motivation to a theory of happiness by identifying happiness with the satisfaction of actual desires or motives (which are at or below the level of the lowest-level unsatisfied desires). A person whose needs up to, but not including, level n are satisfied is dominated by level n desires; her happiness is (significantly) increased only as these are satisfied. Of course, once this takes place her level $n+1$ desires are activated, and she can become still happier through the satisfaction of these new desires. Maslow proposes that each of our various desires be assigned to one of five different levels.

Maslow's theory is not supported by extensive experimental or empirical data;[14] nor is it mainly a philosophical or conceptual analysis. Likewise, Murray's social and political views fall somewhere between science and speculation, with some journalistic anecdotes thrown in for good measure. But this is not a cause for complaint, since there seems to be no viable alternative. The combination of philosophical analysis, empirical social science, casual observation, and speculation found in Murray's book seems to me to be just about right for political theorizing. A greater quantity of empirical data would be welcome, but is hard to come by.

Murray posits a minimum satisfaction level (a "threshold") for each sort of Maslovian need, below which one is necessarily in a quite unsatisfactory condition but above which one may be quite well off. But there is a crucial ambiguity (to which I have already alluded) in his discussion: does he mean that below the threshold one cannot be happy, or that one cannot "pursue happiness"?

The idea of a threshold for happiness rather than for its pursuit must be considered dubious, given that Murray has failed to specify the line between absolute happiness and absolute unhappiness. Indeed, perhaps there is no such line: perhaps happiness is purely relative, a mere matter of *more* or *less*; this is all that utilitarianism requires in the notion of happiness. If there were a point on the continuum of degrees of happiness marking the transition from unhappiness to happiness, we could use it to specify the n-level

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thresholds, for each value of *n*: the *n*-level threshold would be the minimum amount of satisfaction of *n*-level desires that was still compatible with (absolute) happiness. (Contrary to what Maslow sometimes suggests, we may follow Murray in assuming that the *n*-level threshold will be somewhat below the total satisfaction—i.e., the satiation—of the *n*-level desires. In other words, one can be positively happy without being totally satisfied.) But we seem to lack a nonarbitrary way of marking the transition between unhappiness and happiness.

Murray's discussion of "thresholds" sometimes seems to focus on such happiness-thresholds, but more often he is concerned with thresholds for the pursuit of happiness. The notion of pursuit-thresholds is not especially problematic, but it seems that they must be extremely low. So far as I can see, the "pursuit of happiness" is merely voluntary, purposeful action. Thus, to be so deprived as to be unable to pursue happiness, one would have to be incapable of acting. One would have to be dead, unconscious, immobilized, deranged, or (what is more relevant to the present discussion) completely hopeless—that is, certain that nothing one could do would satisfy one's dominant desire.

Because he does not clearly distinguish between happiness-thresholds and pursuit-thresholds, Murray occasionally makes misleading remarks. For example, he claims that if I am not getting enough to eat, I am not able, not free, to pursue happiness. The proper claim is that I cannot *be happy* (in an absolute sense, as yet unspecified). But I can still *pursue* happiness, if (I think that) there is something I can do to secure an adequate diet for myself. Indeed, if my diet is not so bad as to undermine my health, but merely "inadequate" in that it makes me chronically uncomfortable and uneasy, then (it seems to me) even with *no* hope of augmenting it I may still be able to pursue happiness: for I may be able to increase my well-being in other ways, unrelated to alimentation.[15]

Because of such remarks, Murray often sounds more sympathetic to governmental welfare programs than, according to his principles, he really is. He certainly does not want the government to be responsible for boosting everyone over the happiness-thresholds at each level (he holds that this would be quite impossible in any case). Rather, the government should confine itself to seeing that everyone is over the pursuit-thresholds at each level. Since these thresholds are so low, Murray is definitely committed

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to what by late-twentieth-century standards would be minimal government. (The government may even escape responsibility for those who cannot help themselves, providing other people or organizations would step in in the absence of government action.)

Maslow's theory provides Murray with a framework for integrating his communitarianism with his utilitarianism and for defending his limited conception of the responsibilities of central governments. No doubt a wide variety of motivation theories could be adapted to Murray's argument, but let us follow him in working with Maslow's theory as it stands.

Maslow's First Level: Material Satisfactions

Material needs, mainly for nourishment and warmth, occupy the lowest, most basic level in the Maslovian hierarchy. In Murray's view, one of the weaknesses of traditional welfare programs is that they provide mainly for needs at this level. These are real needs, but (according to Murray) it takes very little wealth to satisfy them to the "threshold" level. Beyond this level, further transfers to the poor accomplish little or nothing, and, if they interfere with the satisfaction of higher-order needs (as well they may), they are likely to have a negative effect on happiness.

This is not implausible, but it is highly speculative. The empirical evidence that Murray cites—surveys showing little correlation between people's wealth (above a certain level) and their self-estimated happiness—must be heavily discounted. Are the respondents really estimating their *happiness* (i.e., well-being), or something else, say, their *contentment*?[16] Happiness, I should say, is a matter of having positive experiences; contentment is the result of getting at least as much happiness as one hoped for or expected, and can be achieved by merely setting one's sights low. Happiness, rather than contentment, is the true and proper aim of social policy,[17] but people responding to questionnaires may fail to distinguish the two notions. Since we have no definite scale for measuring happiness, we cannot have solid empirical evidence of the kind Murray seeks.

Given the vagueness of the concept of a "happiness-threshold," and the lack of empirical data, Murray is unable to fix at all precisely the threshold level for material satisfaction. Still, he does

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have one argument, resting on an historical comparison, which he uses against the idea that the minimum family income needed for material satisfaction might be as high as $30,000 per annum (chapter 4). In 1900 very few families in the United States (or anywhere else) had annual incomes equivalent to $30,000 in today's dollars. Indeed, the average income then was below today's poverty level. But it is implausible to suppose that as a group the people of 1900 were less happy than the people of today. Thus the difference in wealth between then and now is of little significance for happiness, and further transfers of wealth to our present-day "poor" (supposing this extra wealth would be used to satisfy first-level desires) would do little or nothing to increase their happiness.

Of course, there are big differences between today's recipient of a certain income and 1900's recipient of an equivalent amount: notably, the latter had considerably fewer people to *envy*, because there were so few people whose incomes were higher than hers. But the pangs of envy, as opposed to the pangs of hunger and cold, do not belong at Maslow's most basic level of needs. If they are to be considered at all, it must be at one of the higher levels; but in fact they do not seem to fit anywhere. Envy is probably best thought of as a result of deficient self-esteem (which will be dealt with later); in that case it is a mere symptom, rather than an independent factor, causing or constituting unhappiness.

Murray concludes that being poor (above a certain threshold, so that one is not in dire material want) is not so bad, just in itself. For most poor people today, the chief burden is not the lack of ability to buy things, and hence is not likely to be removed by further income transfers. As the chief burdens of the poor, Murray lists isolation, hopelessness, oppression, and (for parents) the inability to provide an environment in which their children can grow up to be fine people. But actually the list should be extended to cover any sub-threshold satisfactions at the higher levels of the Maslovian hierarchy. And the same general diagnosis will apply to the unhappiness of the rich.[18]

Murray's thesis that wealth is unimportant for happiness would be more convincing were it not for the advances of medical science. One's needs for food, clothing, and shelter are indeed easily met, and it is also true that most of the time one has no great need for medical care. But for the seriously ill, expensive medical treatment may be of the greatest importance. It is always possible to find

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oneself in a position where having several hundred thousand dollars to spend on medical care would mean recovery and continued pursuit of happiness, while not having it would mean death. Admittedly most people will never find themselves in such a position, but is the probability so small that it may be ignored?[19]

In any case, we must recognize that Murray's historical-comparison argument cannot be decisive, given the difficulty of measuring happiness. Admittedly, it sounds odd to say that we are *happier* than our great-grandparents. But one often hears it said that we are *better off* than they were, and "happier" and "better off" are supposed to be synonyms. Perhaps the truth is that we are indeed *happier*, that is, *better off*, but that they were equally *content*, given their lower expectations. This possibility, it seems to me, largely undermines Murray's argument.

Alternatively, we might hold that our greater first-level satisfaction tends to make us happier, but that the earlier generation's greater satisfaction at the higher levels outweighs this tendency, so that they really were at least as happy as we are. (Maslow seems to deny that higher-level satisfactions can ever outweigh lower-level ones, but Murray would accept this only for sub-threshold lower-level satisfactions.[20]) This speculation about the comparison between generations seems about as plausible as the other. Knowledge in this area must be hard to come by, given our inability to measure happiness.

The Second Level: Safety

Moving from Maslow's first to his second level, we find the need for safety, chiefly in the form of protection from criminal activities (though people do face other threats). The government must provide safety, which Murray proposes to separate into two aspects, lawfulness and public civility. But once again the threshold question, *how much* safety must be supplied? is unanswerable; this makes it difficult in practice to apply Murray's treatment of public safety.

The government should provide *lawfulness*: this means it must *try* (perhaps not terribly hard) to catch criminals, and it must punish (with appropriate severity) most of the criminals it does catch. (Perhaps it is also necessary that rich criminals not be able to buy their way out of being caught, convicted, and punished.) Lawful-

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ness is mainly a matter of public perception: people must take it for granted that the government is making a reasonable effort to catch and punish criminals—that the criminal justice system is not impossibly corrupt or inefficient.

And, for the sake of public relations, the criminals on which the government should concentrate are those who interfere most directly and egregiously with others' pursuit of happiness. To Murray's mind, this means violent criminals, not white-collar ones. "Indeed, the only reason any law-enforcement resources are devoted to computer bandits [more generally, white-collar criminals who do little harm to any one person] is that enough people who control the allocation of such resources do not live where the muggers [and other violent criminals] do" (100). This rings true; it is easy to believe that the proportion of resources devoted to fighting violent as opposed to nonviolent crime would be greatly increased if the allocation were controlled by inner-city residents. This is not to deny that white-collar criminals may do great harm; those caught and convicted should be treated with great severity (to avoid the public perception of class favoritism). But the resources of the law-enforcement system should be concentrated on violent crime.

Casual observation shows that inner-city residents, in particular, are widely dissatisfied with their received levels of various kinds of law enforcement. If they effectively controlled the kinds and amounts of law enforcement in their own neighborhoods, they would get what they wanted. Evidently they have little control over the policing of their own neighborhoods, and insufficient influence with City Hall.

Murray remarks on the harmful public perception that a criminal with enough money to hire the best legal counsel will be able to escape conviction or, at least, will be able to escape severe punishment by getting a favorable deal from the prosecution. As in the case of medical care and the threshold for material resources, this circumstance makes us wonder about the threshold level for safety. Having a lot of money might save one from spending many years in prison; and it would seem that those of us without great wealth are (in this respect) lacking in safety. It might be replied that, especially for a law-abiding citizen, the probability of being in such a position is negligible. Furthermore, the problem arises only with

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an imperfect criminal justice system—though Murray suggests no way to remove this particular imperfection.

Murray adds that, just as intentional wrongdoers should often be caught and punished, so those who try to do right should not suffer at the hands of the law-enforcement system. This means, *inter alia*, that the law must be easily obeyed, so that those who wish to obey it can do so. It should be intuitively clear to the average nonlawyer what she has to do in order to stay on the right side of the law. Unfortunately the laws of the United States and other Western countries have lately become so complex that this condition is not met.

Furthermore the careful, law-abiding citizen should be confident that she will not lose a ruinous suit for tort unless she was really at fault in the matter. For whatever reason, in the current explosion of tortious actions no one is safe from losing a large lawsuit (and this seems to be a more likely occurrence than being wrongly indicted for a crime). Thus does the system fail to protect the pursuit of happiness.

An ameliorating circumstance, not mentioned by Murray, is that liability insurance is often available. Furthermore, people who enter upon activities that are governed by very complicated legal rules are often aware that they are doing so, and can stop to consult a lawyer beforehand. The need to do so may constitute only a slight impediment to their freedom of action.

The other aspect of safety, called *public civility*, is a sort of freedom from being annoyed in public places.

> The underlying requirement for civility [is] . . . that public places . . . be neutral ground, not used for business, not used for unsavory displays, not used for social turf, not used as a dumping ground for one's private trash, not used for sleeping; and, the overarching rule, that public areas be places where people are required to behave in a civil manner—not necessarily polite or friendly, but, at a minimum, respectful of the other person's right to be left alone. The threshold of safety is met when a failure of public civility is so unusual that it is noteworthy. (107)

Of course, much uncivil behavior is hard to classify as lawbreaking, so there is a serious difficulty about how civility is to be formally enforced. As the apparently best method, I suggest endowing the cop on the beat with considerable discretion.[21] Obvi-

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ously this will be subject to abuse; but the beat cop, as an agent of the community, may be expected in enforcing civility to check what the community regards as excesses. In a small, closed community there were other, informal sanctions available; but fewer and fewer of us live in such communities.

Endowing the beat cop with considerable discretionary power will work best if the community is homogeneous and, thus, in agreement about what standards are to be enforced. In past ages, when movement between communities was rare, this condition was likely to be met: the residents of a village were probably born there and brought up in the traditional ways of the community. In our more mobile times people with very different ideas about public civility, and with little commitment to the local norms, may be brought into close proximity, creating friction between neighboring communities and within nonhomogeneous communities. This creates a social problem which concerns the second Maslovian level, as well as the next two higher ones.

Murray does not really address this problem in *In Pursuit*. Some passing remarks in a later article in this journal indicate that he regards the current public discussion of this problem as illustrating a conflict between "radical and egalitarian individualism" and his own communitarian individualism.[22]

Murray thinks that a relatively homogeneous community should be able in various ways to exclude people who are different, in order to protect its own cohesiveness and vitality. Such measures should not be thought to violate the principles of individualism. An individualist ought to accord an Italian-American in Bensonhurst (Murray's example) the right to refuse to sell her home to a non-Italian; in fact, there is an individualist argument against open-housing laws, as violating the property rights of individual home owners.

What if the home owner were willing to sell to the highest bidder regardless of ethnicity? The neighborhood association might still get its way by paying her to sell only to an Italian. It might also induce home owners voluntarily to accept restrictive covenants on their deeds. Such practices are inconsistent not with individualism per se, but only with a radically egalitarian version of it. Individualism and communitarianism are really consistent, since an individualist can support effective measures by homogeneous communities to preserve their character, so long as these measures

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involve only voluntary actions and the enforcement of contracts. It is not on account of any perceived conflict with genuine individualism that such practices have been made illegal.[23]

In discussing safety, Murray hardly mentions the kinds of issues that are routinely dealt with nowadays not by the ordinary criminal law but by government regulation: environmental issues, consumer product safety, workplace safety, and so on. The exception is his treatment of highway safety (186–201). If we may generalize from this, his attitude is that the dangers in these areas are minor, the regulations burdensome and unduly complex, and the whole regulatory effort more negative than positive in its effects. Especially in the case of environmental issues, this attitude would seem to call for elaborate defense, which it does not receive in *In Pursuit*.

The Third Level: Intimacy and Community

At the next Maslovian level we find the need for intimacy and belonging; it is here that the notion of community enters the picture explicitly. But Murray prefers to remove this third need of Maslow's from its place in the hierarchy, leaving only four levels instead of Maslow's five. It is not that he thinks this one unimportant; he constantly dwells on the need for participating in a community and also mentions the desire to raise a family.[24] Rather, he feels that this need does not comfortably fit its assigned place in the hierarchy.

He first complains because, although Maslow has it lower than the need for self-respect, without self-respect one cannot form good relationships with others (54). This would seem to argue for interchanging those two needs, putting self-respect on a lower (more basic) rung than belonging to a community. Unfortunately, as we shall see, Murray's treatment of self-respect suggests that having it requires already belonging.

In the main, though, Murray's reason for removing intimacy or belonging from the hierarchy is its alleged overarching importance. He contends that to satisfy any of the Maslovian needs, even the most basic ones, a person must in practice belong to a community. But this is not a good reason. Maslow's hierarchy ranks food as more basic than intimacy/belonging, for example,

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simply because the normal individual, faced with a choice between starving-but-belonging and having-enough-to-eat-but-not-belonging, would choose the latter. Murray responds, in effect, that people hardly ever face such a choice, because there is seldom a conflict between eating and belonging. This may be true, but it is beside the point. Let us, then, restore intimacy/belonging to its original place.

In a Cartesian fantasy we might imagine the sense of community being produced without an actual community, by an Evil Genius. But if we put this aside as unreal,[25] we must acknowledge that people reach their full potential for happiness only when they belong to a community, because the social bonds of community are both desirable for their own sake and instrumentally valuable in the satisfaction of nonsocial wants. We can conceive of a contented hermit, but it is hard to believe that she is as happy as an otherwise similar person who has the normal social inclinations and who is involved in a community of friends and acquaintances.

Murray's main point about belonging is that communities are inevitably local, limited in size by the number of people with whom an individual could share acquaintance and recognized common interest. In the age of telecommunications one can interact with people at a considerable distance, but the *number* of different people with whom one can have a personal relationship is still severely limited. Certainly a nation-state is too large to be a community: the bonds of nationalism or patriotism are thin and ghostly compared with the bonds of community.

The modern trend has been for national governments to take a greater and greater role in setting and implementing social policy. Whatever may be good in this trend—in producing standardization within a broader context, and perhaps in removing externalities (in the economic sense)—it has been disastrous for the viability of local communities. This trend toward centralized control has inadvertently undermined one of the component conditions of happiness.

Briefly summarizing the point of his book on Thailand, Murray alleges that in that country the central government's attempts to undertake projects beneficial to outlying villages undermined the village communities. The programs were intended to produce benefits, and *some* benefits were indeed produced. But there were

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losses, too: "the losses involved deterioration in the bedrock functions performed by any community . . . settling neighbors' disputes, helping people in need, solving common problems" (14–15). These bedrock functions were much more important in the everyday lives of the villagers than were the slight improvements in nutrition, medical care, and infrastructure produced by the government programs.

Murray is here making at least the (relatively weak) point that depriving the Thai villagers of their sense of community was a bad effect, which must be weighed against the other effects (many of them good) to determine whether the central government's policy was good or bad on the whole. He seems to intend also a stronger point: that by undermining the local community the government's policy was simply bad. Not only did it deprive people of their sense of community, it also (in the long run) undermined their ability to satisfy their other needs (given the overarching importance of community structure).

It must not be thought that government can have much of a positive role in supplying community to people who otherwise would not enjoy it. In the nature of things, one is dependent on other people as individuals for the achievement of this good. A few people will be unable to fit in with those around them, and so will be unable to achieve belonging or intimacy. The government might try to force a community to accept the occasional misfit, but such an attempt seems doomed to failure: the creation of community (or intimacy) must be largely spontaneous and uncoerced. The government is much better able to destroy potential communities, and public policy should be focused on avoiding such an unfortunate result.

Some empirical evidence about the efficacy of governmental attempts to create community feeling is provided by the history of American antidiscrimination laws. In a recent article Murray writes:

> In the past 30 years, the U.S. government has enacted laws that systematically restrain free affiliation. . . . Their purpose is to overcome irrational discrimination. . . . Unfortunately, in trying to accomplish this admirable purpose, the government put severe restrictions on free affiliation in housing, employment, education, social services, and a variety of business activities. . . . I offer this general-

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> ization: Traveling around the United States you will find the courteous, harmonious, socially effective human relationships I have described in those communities that have been least affected by government intervention. . . . By the same token, you will find the most tense, hostile, and ineffective human relationships in communities that have been most drastically affected by the government's attempts to engineer human interactions. Government restrictions on affiliation are destructive not only under socialism, but under democratic capitalism as well.[26]

It is clear that Murray thinks U.S. antidiscrimination laws are too sweeping and intrusive; it is not clear just how far he would want to pare them back.

For all his emphasis on the importance of community, Murray does not describe in detail the processes by which communities are formed and by which they function.[27] Whatever these processes are like, they must be carried out spontaneously by individuals, and are certainly not the responsibility of government. True, the government might have to provide minimal prerequisite conditions. But in fact people have such a powerful need to form communities that they will do so under almost any conditions, absent some very intrusive interference by government. The government's main concern about the flourishing of communities should be simply to stay out of the way.

Murray's failure to mention nationalism suggests that he regards it as unimportant; that he thinks identifying oneself with a nation, as opposed to a community, cannot provide one with a genuine feeling of belonging that counts as a constituent of happiness. This may be right; compared with community feeling, nationalism seems abstract and impersonal. It is better compared to religious or ideological commitment than to community feeling; and any place it may have in the the Maslow/Murray scheme of levels of happiness must be higher (less basic) than the present (third) level. But in fact, fervent nationalists may be trying to overcome a deficiency of self-esteem, by diverting attention from their personal inadequacies to the glories of their nation. If so, the commitment to nationalism cannot really be considered a component of happiness (or a basic factor in the creation of happiness), and has no place at all in the hierarchy.

Still, so long as there are national governments—and Murray

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contemplates no departure from this norm—nationalism has the practical value of inducing obedience to the national authorities, obedience without which the government can hardly function. By extolling community feeling and downplaying nationalism, Murray is favoring conditions that would tend to fragment or balkanize nations, since local loyalties would be so much stronger than national ones. Identifying with a community may, as Murray seems to think, have a much more direct or "intrinsic" relationship to happiness than does identifying with a nation. But if we grant that the nation-state is valuable, and that nationalism contributes to its functioning, then we ought to be concerned about the apparent conflict between nationalistic and community feeling.

The apparent atavism of Murray's admiration for village life raises a concern whether his ideal of community is realizable under modern conditions. A Stone Age hunter-gatherer group (to take the extreme case) was bound together in a way hardly possible for a neighborhood in a modern city. People are now more mobile and better able to communicate over long distances; they also have wider interests—ideological, professional (business), and hobbyist, as well as familial and religious—which might lead them to affiliate with people not close to them geographically. The sense of community provided by these affiliations, as well as by nationalistic feeling, must detract somewhat from community based on spatial proximity.

Murray's answer to this concern would be that (1) for most people geographical community is still very important and valuable, and (2) while it may be harder to achieve under modern conditions, the difficulty could be reduced by transferring some social functions from central government to local communities. If this were done, local communities would be objectively more important. Then people would be less willing to move than they are now, and conditions for geographical community would not be so unfavorable. It must be admitted that social and geographical mobility tend to make community structures less stable nowadays, so that one's attachment to her community must be a more flexible, fluid matter than in previous ages. But Murray assumes that even under modern conditions geographical communities are the most effective units for dealing with most social problems.

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Communitarian Individualism

Murray's communities are voluntary associations, more like clubs than like units of government. He is thus an advocate of nongovernmental social decisionmaking, to the extent it is possible, and of severely limited government. But if governmental units were community-sized rather than nation-sized, it would be difficult to ascertain whether he would object to strong governmental powers. The smaller the units of government (especially if we assume rather free entry and exit) the less practical difference there is between individualism and collectivism (collectivism-in-the-small, that is). As governments become smaller, political (governmental) matters shade off into domestic (familial or tribal) matters,[28] which are normally considered the domain of the individual.

It seems proper to label Murray a *communitarian individualist*, and to add that he is an individualist first, a communitarian second. The individual human being is always the unit of his analysis; community has a prominent place just because individuals need to belong to communities in order to be happy. He certainly sees no conflict between individualism and communitarianism, subscribing to the view (of Jefferson and the other Founding Fathers) that "the vitality of communities and the freedom of individuals are intertwined, not competitive" (15). But such a label will be appropriate only on a certain understanding of the ambiguous term *individualism*.

Of course, as a communitarian Murray is debarred from advocating individualism in the sense of "a disposition to ignore or flout social conventions." Such behavior would raise a barrier between the individual and any local group, making it impossible for her to join with others in a community. But in the context of political philosophy this is not the primary meaning of the term. It stands, rather, for the vague doctrine that the individual is somehow primary, the community and society secondary; or else it stands for some more precise doctrine, in which "somehow" is replaced by a particular mode of primacy ("metaphysically," etc.). There is no conflict between individualism in such a sense and communitarianism.

In a recent article Murray writes:

> Limited government *permits* people to live as isolated individuals, but the way limited government works in practice militates against

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> that brand of individualism. In practice, limited government facilitates—virtually forces—a society to generate complex, rich, and rewarding personal relationships that are based on cooperation and mutual help.[29]

Because of their desire to be accepted, people have a natural incentive toward courteous, cooperative, inoffensive behavior.

A similar confusion has it that classical liberalism is individualistic in contemplating or advocating atomized individuals. Murray continues:

> There is certainly an element of individualism in classical liberalism, in the sense that each human being is an end in himself or herself. Freedom, dignity, virtue, and justice all must be defined in terms of the individual. But this definition does not mean that classical liberalism envisions people living their lives on separate mountain tops. Precisely the opposite is true. . . . Human beings have needs as individuals that cannot be met except by cooperation with other human beings. To this degree, the often-lamented conflict between individualism and community is misleading. The pursuit of individual happiness cannot be an atomistic process; it will naturally and always occur in communities. The state's role in enabling its citizens to pursue happiness depends ultimately on nurturing *not* individuals, but the associations they form.[30]

("Nurturing," however, may be too strong a term for the state's proper activity of merely avoiding actions that would be inimical to the formation of communities.)

The complaint about atomization is more accurately directed back at socialism.

> Socialism attracted [nineteenth-century] intellectuals not because of its promised economic efficiency, but because of its [promised] superiority as a way for human beings to live together. . . . Socialism promised not only to heal the wounds of capitalism, but also to enhance human interactions, bringing people together in a classless, noncompetitive social order. . . . Empirically, socialism failed to deliver on its promise of classless, harmonious human relationships. This failure is no accident, nor is it the result of a failure to implement socialism properly. Rather . . . the moral ideals of socialism are themselves to blame. The ideals of socialism push people apart. Socialism atomizes.[31]

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In sum, Murray does not advocate a callous disregard for the values of others, nor does he regard individuals as isolated and unaffiliated. Nor is he a "rugged" individualist, enjoining people not to help each other. No doubt there are several other senses in which he *is* an individualist; for political philosophizing the most important are that he treats the individual as (1) the subject of value, and (2) the unit of social analysis.

The Fourth Level: Self-Esteem

Next up the Maslovian hierarchy (at what I shall call the fourth level, though Murray has it third), we find dignity, self-esteem, and self-respect. Obviously we have arrived at territory where the government's power to *give* people what they want or need is, at best, severely limited. Dignity, self-esteem, and self-respect all must be acquired through one's own efforts if they are to be gained at all; government can supply no more than some prerequisite conditions.

It is vitally important for the individual's mental health that she act so as to generate, or not to undermine, self-esteem. Note the quasi-egoist moral to be drawn here: one must be primarily concerned with promoting *her own* self-esteem; for self-esteem is something one can achieve *only for herself*. (Admittedly, others are important in providing background conditions.)

Self-esteem involves having a good opinion of oneself, but Murray rejects this as a definition because it is "value neutral," defining the notion "in a way that strips it of normative implications" (115). "The problem with a value-neutral definition of self-esteem is that people can have high self-esteem [in this sense] when they shouldn't" (116).

This "problem" seems insubstantial. It is still true (I should say) that (value-neutral) self-esteem is vitally important to the individual's mental health and well-being. This is not to say that undeserved self-esteem is just as good as deserved. The point is merely that without self-esteem (whether deserved or not) one cannot be happy.[32]

Nevertheless Murray is led to drop the very term *self-esteem* in favor of *self-respect* as his designation for what is desired at the fourth level. Following David Sachs, he remarks that one can have

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too much self-esteem, but not too much self-respect. Self-respect is basically a Kantian notion, involving treating oneself as a responsible, rational, moral agent. Following Michael Walzer, Murray identifies this with a commitment to fulfilling one's obligations as a member of a community.

Is it enough to be *committed* to fulfilling these obligations, or is it necessary that one *actually* fulfill them? It may seem that one who, in spite of her commitment, perceived herself as consistently failing to fulfill her social responsibilities could not have a full measure of self-respect. But we may neglect this as a philosophical fine point, since in practice commitment and success are likely to go together.

The fact that the notion of "social responsibility" or "obligation"—obviously a moral concept—appears here in Murray's account of happiness is an example of the circularity that I earlier noted in passing.[33] Until we know what happiness is, how can we assess our social obligations from a utilitarian perspective?[34] But the ability to assess them is required before we can apply Murray's analysis of happiness.

This circularity is worth pondering, but it seems less worrisome if we take Murray, with his use of Maslow's hierarchy, to be providing not a philosophical analysis of the concept of happiness but only a practical guide to the causes of happiness. A philosophical analysis, I have suggested, is unnecessary: the concept of happiness is already clear enough for most of the purposes of political philosophy. It is more important that we understand how happiness may be produced. And there is no vicious circularity in remarking that, beyond a certain point, people cannot become happier unless they feel themselves to be committed to increasing rather than decreasing the happiness of others.[35]

Murray remarks on the emergence in Britain (and presumably elsewhere) of an underclass of people who are disinclined to support themselves, and who seem to find it quite satisfactory to live on the dole. These people, he says, lack self-respect, because they are not committed to fulfilling their obligations to their community. Now another view is that these people just have different, less stringent standards about what constitutes their social obligations. This seemingly more "liberal" view has dominated recent policy-making. Murray's response is dogmatic: if you aren't committed to earning your own way in the world (in the broad sense of contributing positively to society, not necessarily earning *money*), you are

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lacking in self-respect, period. (No case of a person who is unable to support herself—a dependent child, a quadriplegic, etc.—is discussed.)

Dogmatic or not, Murray's view is not implausible. People who live on the dole, though they say they find nothing disgraceful in their condition, may well be lacking something that is necessary for true happiness.[36] And the usual sort of welfare program may have an intrinsic negative feature: a tendency to undermine the self-respect of the recipients.

Murray remarks that the idle rich, living off inherited wealth, as well as the holders of political sinecures, must lack self-respect, and thus cannot be fully happy. The point might have been extended, for example, to the totally incapacitated, who may be unable to view their overall contribution to society as positive. Another interesting case not mentioned by Murray is that of retired people, who are living on their own savings. The average retiree may view her life as a whole with satisfaction; she can feel that her total lifetime contribution to society has been positive. But what if she looks just at the period of her retirement: must not she feel a lack of self-respect during this period of her life? Perhaps Murray would say that drawing down one's savings is not taking *from society*, but this is unclear. The point would certainly have been worth discussing. (Note the difference between retirement and taking a vacation: the latter is a brief interruption of one's contribution to society, while the former may well be the end of such contribution.)

Murray's views on self-respect readily accommodate those morally earnest people who could not be truly happy unless they were "pulling their weight." But there are other people who seem to be cheerful amoralists, with no difficulty in living happily as parasites off the labor of others. Perhaps Murray could admit the existence of such people, claiming only that they are very rare, and so may be ignored for public policy purposes. But he actually seems to claim that Maslow's theory applies to absolutely everyone, so that there could not be a person with a non-Maslovian pattern of satisfaction. This calls for some support.[37]

In Pursuit neglects a theme that had some prominence in Murray's earlier book, *Losing Ground*: the distinction between the deserving poor and the undeserving poor. If we are concerned, as Murray was in *Losing Ground*, that only those who deserve it should receive welfare, we have an additional reason to support the

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decentralization of the system: benefits should come from the community, where the individual is known and thus can be known to be deserving, rather than from a remote central government. But in *In Pursuit* Murray supports only a low level of welfare benefits in any case, and he argues that the recipient, for the sake of her own happiness, should get off the dole and become self-supporting as soon as possible. Thus the issue of desert is not pressing.

Murray tries to deepen his treatment of self-respect by appealing to some results from psychology concerning the distinction between "internal" and "external" personalities. The person with an internal personality believes that she controls almost everything that happens in her life; the external personality feels controlled by luck or outside forces (124 ff.). Psychological research has revealed that internals are happier than externals.

The point, apparently, is that internal personality is correlated with self-respect. The results of these personality studies thus tend to confirm that self-respect is necessary for (or at least contributory to) happiness. There may be a bit of equivocation here: internals are "self-responsible" in that they feel *causally* responsible for *their situation*; people with self-respect are "self-responsible" in that they feel *morally* responsible for *the effects of their actions*. Nevertheless, it is easy to believe that internalism and self-respect are strongly positively correlated.

If the psychological results cited by Murray are valid—and not just in a capitalist setting, but anywhere—the implication is devastating for socialistic policies. By moving toward a government-controlled equality of condition, such policies tend to make the individual's own actions less important in determining her situation; indeed, the policies are *designed* in considerable part to decrease the individual's control over her situation, since this might tend to produce inequality. The result is partly good—for those who are saved from want or disaster—partly bad—for those who are deprived of the extraordinary rewards of their industry and skill. But for all, these policies create a setting that is unfavorable to the development of an internal personality. Thus they make it less likely that people will have self-respect, an indispensable ingredient of happiness.

In defense of socialism, it might be said that it is designed to neutralize the effect of luck, and that in so doing it undermines the individual's inclination to view luck as controlling her destiny. But

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in substituting the government for luck as a controlling force, socialism cannot be said to do anything to promote the internal personality type. Besides, granting the importance of luck in a free-market setting, the individual still has considerable influence on her own outcome, while in a perfectly functioning socialism all outcomes would be perfectly equal regardless of individual effort.

Our discussion of the previous Maslovian level implied that a socialist government, by guaranteeing a rough equality of condition to people, would undermine their commitment to their communities (since the most important social tasks would be handled by the central government). Now we see that socialist government has bad results at the present Maslovian level, too: it would likely produce a generation of external personalities, each of whom felt powerless to affect the world around her. Socialism would deprive people of self-respect as well as of community, and thus is incompatible with full happiness.

Socialism has often been attacked for undermining individual incentives, and thus for being less productive than capitalism. No doubt Murray would agree; but if that is the main charge against socialism, the latter seems a pure and holy doctrine, made impractical by human selfishness. Murray is making a different point about why human nature makes socialism unworkable: people need self-respect (and community), which cannot develop under a socialist regime.

When the argument is applied to a moderate welfare statism, rather than to an ideal socialism, it is less powerful. The encumbrances placed on the successful and the safety net placed under the (potentially) unsuccessful by the welfare state fall far short of *equality of condition*, and leave considerable scope for efficacious action by the individual. There would surely be *some* tendency for the welfare state, as compared with laissez faire, to discourage the formation of internal personalities, but it is hard to say how strong this tendency would be. More empirical research into the matter seems in order.

There is a tradeoff here which Murray does not mention, but which must be assessed in any evaluation of his argument. In Murray's view, governmental welfare programs, while guaranteeing the satisfaction of first-level needs, tend to reduce the satisfaction of third- and fourth-level needs. If the higher-level loss of happiness exceeds the first-level gain, these programs are indeed unjustified on utilitarian grounds. But do we know that this proviso

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actually obtains? Maslow's scheme suggests that lower-level needs are infinitely more important than higher level ones: that any lower-level gain, no matter how small, outweighs any higher-level loss, no matter how large. Without giving the matter much discussion, Murray rejects such a sweeping claim. However, he seems to accept a version of it restricted to *sub-threshold* satisfactions: that any sub-threshold lower-level gain outweighs any higher-level loss. Thus if we found that a given welfare program saved *one person* from dire first-level want (without pushing anybody below the threshold of first-level satisfaction), we would have to conclude that the program was justified, however bad its higher-level effects.

This seems a feeble test, which might be passed by many welfare programs that Murray would find objectionable. Then he had better reject even the restricted version of Maslow's principle, in favor of some more realistic way of making tradeoffs between satisfactions at different levels. Some view about the appropriate method for doing this is implicit in the whole fabric of *In Pursuit*, but it would be a very difficult task to articulate it.

The reader who largely agrees with Murray's unarticulated attitudes about these tradeoffs will be persuaded by his attack on socialism and, to a lesser extent, the welfare state; but for his argument to have full effect, those attitudes must be explicitly stated and supported. (Another possible line of argument is that socialism is so unworkable that eventually it will fail to fulfill its promise of beneficial first-level effects, and that even the welfare state will retard economic development, reducing first-level satisfactions in the long run.)

If self-esteem or self-respect were a comparative matter—a perception that one was better than most other people—then inevitably many people would lack it. This is part of Maslow's concept of self-esteem, but not of Murray's concept of self-respect. We can all be committed to contributing positively to our communities, and perhaps we can (almost) all fulfill this commitment. Thus we can all have self-respect. One might have thought that one whose contribution was comparatively small, though still positive, would have felt some lack of self-respect. But according to Murray, the crucial happiness-threshold for self-respect is reached when one is committed simply to contributing positively. A further commitment to contributing a great amount—even the maximum possible

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amount—to human happiness may increase one's self-respect beyond the threshold level, but this would increase one's happiness only a little.

We may grant that self-respect in Murray's sense is essential for complete happiness, but why should we follow him in refusing the same status to value-neutral self-esteem—that is, to judging oneself favorably compared with others? For the sake of Murray's argument, he should have found some reason—better than what he offers—for dismissing (value-neutral) self-esteem as he does. (Perhaps the relativity of the standard used in such judgments is the key indicator that self-esteem is not directly related to true happiness.)

The Fifth Level: Self-Actualization

If your first-, second-, third-, and fourth-level needs are met, what more is required to make you happy? You have adequate material resources, safety, intimacy/belonging-to-a-community, and self-respect. Now you need to find fulfilling activities to occupy the time when you are not consuming or socializing, and the most important of these is likely to be your work—"the meaningful expression of human energy" (as Murray quotes Marx, 134). Work may well be essential to generating self-respect; it also provides an opportunity to satisfy the highest need in the Maslovian hierarchy—the need for "self-actualization."

But surveys suggest that in recent years Americans have become less satisfied with their work. Though it does not seem likely that government has the means to provide everyone with *satisfying* work, this is not an area that policy analysts can afford to ignore completely. As with the other Maslovian levels, the government can at least try not to get in the way.

Again, Murray harks back to Aristotle: we are to understand self-actualization by reflecting that happiness or enjoyment comes from the exercise of one's "realized capacities" (in Rawls's phrase). I find this suggestion unhelpful. Whatever I am doing, I am exercising one or more of my realized capacities; yet I enjoy some activities much more than others. Murray adds that the better you are at something, the more you enjoy doing it. But since there is no good way to compare one's degrees of proficiency at different activities, this principle is of little use in explaining one's differing degrees of

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enjoyment. The only way I can find to compare my proficiency at chess with my proficiency at baseball is (in both cases) to measure my performance against that of other people. This notion of proficiency is too relativistic, not "intrinsic" enough, to explain why I take greater enjoyment in one game than in the other. (Murray is discussing why I enjoy an activity just for its own sake; this is quite different from enjoying an activity because I am aware that I do it better than most other people.) Without further development, Murray's Aristotelian insight will not take us far.

It occurs to Murray that the lack of satisfaction in contemporary people's lives might be caused by the decline of religious faith, and the consequent feeling that life has no transcendent meaning. But this line of investigation is not pursued; indeed, it is unlikely to be relevant to public policy if the separation of church and state—which seems to have proved its value in practice—is to be maintained. One is tempted to suggest that a sixth level be added to Maslow's hierarchy, embodying the feeling that one's life subserves some transcendent, supernatural purpose; or, alternatively, that the sense of meaningfulness available to religious people be incorporated into the fifth level. But apparently Murray would be unsympathetic to these suggestions.

In trying to understand the intrinsic enjoyment of an activity that is felt to be meaningful, Murray turns to recent work in psychology. One suggestive result is that people like novelty and dislike too great an intensity of a stimulus that they enjoy in lower doses. Another is Robert White's motivation theory: people naturally want to interact *effectively* or *competently* with their environment. This is a variation on the idea that people naturally want to exercise their capacities, but it seems to introduce a normative element: people want to exercise their capacities *for good* ("effective" probably means "to good effect"), rather than their capacities *simpliciter*.

But the most useful idea comes from Mihaly Csikszentmihalyi: that there is an especially valuable kind of experience, which he has labeled "autotelic" or "flow," consisting in a whole-hearted absorption in what one is doing, without a lot of calculating or self-awareness.[38] Here, according to Murray, is the source of satisfaction of our fifth-level needs. One would expect this kind of experience to be common in hobbies and other recreational activities, but it is nice if one can find it also in her work. This will be easier if the job is "challenging," since it requires that one be fo-

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cused on an activity that is worthy of her powers. But one may be able to make challenges for herself; they need not be intrinsically present in the job. An activity that prompts "flow" must be neither too easy nor too hard—neither boring nor frustrating. It need not serve any utilitarian (in the everyday sense) purpose, and, indeed, serving such a purpose might detract from its ability to supply us with "flow."

Murray regards "flow" as an indispensable ingredient in a truly happy life. Thus, he writes, challenge, no less than food, is necessary for happiness. Since hobbies and recreational activities can provide challenges—since, indeed, one can create her own challenges for herself—it does not seem that the policy analyst or the political philosopher need be much concerned with the notion. Still, if work can be made to provide flow, all the better for happiness; and public policy might affect working conditions in a relevant way.

One further result of psychological research, according to Murray, is that working for extrinsic rewards is incompatible with getting this highest-level happiness via flow, or, at least, that there is a strong tension between extrinsic and intrinsic motivation. One must be engaging in the activity for its own sake in order to get the highest satisfaction from doing it. For one thing, thinking about money or other extrinsic rewards tends to prevent the intense concentration on the activity itself that is characteristic of flow. Furthermore, the presence of the extrinsic reward tends to cause the agent to categorize the activity as a *means* rather than an *end*, and thus as something not worth doing just for its own sake. As a corollary, people are not willing to commit as much effort to a task for which they are being paid—they are more likely to cut corners and take the easy way out. This detracts from the quality of their experience.

Yet people must be paid for working. Does this mean that flow will be unavailable at work? No, says Murray. What is needed is for people to view money as just a way of "keeping score," of giving them information about how they are doing, not as something they are under pressure to obtain (e.g., for fear they will not have enough to live on).

Getting people to convince themselves that they do not value money seems an implausible solution to the difficulty Murray has raised. But if it is rejected, Murray's worries will take on a decid-

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edly Marxian appearance—except that, while Marxian alienation results from production for the market, Murray seems to think that production for any extrinsic purpose, even one's own later use, is similarly alienating.

There may be a more charitable interpretation of Murray's solution. Though he wants people to engage in activities "for their own sake," it may be sufficient that they momentarily forget or put out of mind their extrinsic objectives. Even when one has an extrinsic purpose for which one began to engage in a certain activity, concentrating on the activity itself and paying no attention to the purpose might still produce "flow." This still smacks of the self-deception I complained about above (though less so than requiring that people pretend to themselves that they do not value money and other extrinsic objectives), but perhaps after all "self-deception" is too harsh a term for what is really just directing one's attention in a certain way. If these remarks are accepted, we need not make so much of the tension between activities that produce flow and activities done for pay.

Borrowing from Edward Deci and Richard Ryan,[39] Murray adds that: (1) when people are in control of an activity, they enjoy it more; and (2) people have a deep need for the sense of competence that comes from mastering something difficult. Being in control and exercising mastery of the difficult are necessary for flow.

In a later discussion Murray lists three factors that produce satisfaction in one's achievements: "the degree of *effort* you put into it, the degree of *control* you had over the outcome, and the *importance of the function* it serves."[40] If he is here thinking of satisfaction at Maslow's fifth level, he has added an element—importance—that was not explicitly mentioned in *In Pursuit*. To be sure, he had said that organized communities—"little platoons"—would not form unless they had important functions to fulfill, but he did not associate importance with fifth-level satisfaction. Instead, he gave the impression that flow was available in time-passing activities, such as most games and hobbies, as readily as in life-or-death activities; but the former are quite unimportant, the latter very important. Since "importance" suggests extrinsic rewards, I will assume that it is not to be thought of as contributing to fifth-level satisfaction.

The political implications of Murray's discussion seem to be: (1) here again is an aspect of happiness that people have to provide for themselves—indeed, that each person must provide for herself—

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and that cannot be *given*, by government or anyone else; and (2) the government's effect will be harmful to the extent that it reduces people's control of their lives and deprives them of challenges (by guaranteeing that everything important will be done for them if they do not do it themselves).

But in appreciating the latter point we must beware lest we equivocate on the term *challenge*. In the everyday sense there is no greater challenge than to survive under risky and threatening conditions. Paternalistic government may indeed remove many such challenges. But the challenges relevant to self-actualization are of a tamer sort, arising only after the needs for food, safety, and so forth have been rather fully satisfied. Indeed, no one who is focusing on the "extrinsic" reward of survival is meeting one of these tame challenges; she is operating at a lower level of Maslow's hierarchy than self-actualization.

Thus I do not see that living under socialism (not to mention in a mere welfare state) would prevent one from experiencing flow, even at work, let alone in games or hobbies. A government would have to be extremely meddlesome to have much negative effect on flow, as Murray describes it. At this level of the hierarchy, we seem at last to have left political philosophy behind.

* * *

Charles Murray's message is that to be happy one must interact with others in ways that make one feel good about oneself. One must give and receive affection, feel oneself to be competent, and regard oneself as a net positive factor in the lives of others; one must also have intrinsically interesting challenges to meet, whether they are imposed by circumstances or are self-chosen, on which one is free to concentrate. None of this is very surprising, but the political implications are not often seen. Murray makes them explicit: he argues that people will be happiest if they are given freedom rather than goods (except for small emergency welfare benefits), and that the political ideal of directly making people happy is misguided. The apparent consonance between communitarianism and socialism (unless the political units are *very* small) is illusory; a more-or-less libertarian ("individualist") political system is more favorable to the flowering of communities.

I have expressed reservations about some of the details of the argument; but still, Murray has produced a powerful critique of

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socialism, and an interesting attack on the welfare state, from an unusual angle. In spite of his unemphatic, judicious, "moderate" tone, he has marked out a line of argument which apparently leads to devastating conclusions. Though his manner of writing is more popular than scholarly, he has made a significant contribution to political theory.

NOTES

1. Michael Sandel, *Liberalism and the Limits of Justice* (New York: Cambridge University Press, 1982).
2. See, e.g., Amy Gutmann, "Communitarian Critics of Liberalism," *Philosophy and Public Affairs* 14 (1985): 308–22, reprinted in Shlomo Avineri and Avner De-Shalit, eds., *Communitarianism and Individualism* (Oxford: Oxford University Press, 1992). The editors' introduction to the latter volume both describes and exemplifies the confused state of the present debate between "communitarians" and "individualists."
3. In this paper parenthetical page references are to *In Pursuit*.
4. Charles Murray, *Losing Ground: American Social Policy, 1950–1980* (New York: Basic Books, 1984).
5. Charles Murray, *A Behavioral Study of Rural Modernization: Social and Economic Change in Thai Villages* (New York: Praeger, 1977).
6. See the "Prologue" to *In Pursuit*. Murray spent the years 1965–71 in Thailand, the first two in the Peace Corps. In a recent magazine article—"Thomas Jefferson Goes East," *National Review*, March 30, 1992: 21–29—he writes: "Just about everything I have ever written is grounded in the experiences of those six years" (21). See also Ken Adelman, "No More Money" (an interview with Murray), *Washingtonian*, February 1991: 31–35, esp. 34.
7. The clearest indication that this is Murray's view is in his analysis of public education (chs. 10 and 11), where he writes: "Any formal attempt to identify merit [among the teachers in a given school] is going to be less precise than the informal system already in place" (Murray, *In Pursuit*, 243).
8. Thus Murray, quite properly, shows no interest in such recent treatments of happiness by such academic philosophers as James Griffin, *Well-Being* (Oxford: Clarendon Press, 1986).
9. Murray asks: "Is satisfaction a function of the gap between aspiration and achievement? Or of the gap between aspiration and expectation?" (Murray, *In Pursuit*, 43). I am claiming that, whatever we say about satisfaction, happiness or well-being should not be considered a function of aspiration at all.
10. The standard edition of Butler's sermons is J. H. Bernard, ed., *The Works of Joseph Butler*, vol. 1 (London: Macmillan, 1900). A readily available recent

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paperback is Joseph Butler, *Five Sermons*, ed. Stephen Darwall (Indianapolis: Hackett, 1983), where Sermon Eleven is called "Sermon IV."

11. In doing this, Murray is following John Stuart Mill, from whose *Autobiography* he quotes a passage to similar effect (Murray, *In Pursuit*, 132–33). The paradoxical air remains even if, like Butler, we hold that happiness is just one of many intrinsic goods. The paradox was treated, perhaps adequately, by Henry Sidgwick, *Methods of Ethics*, 7th ed. (London: Macmillan, 1907), bk. II, ch. III, sec. 3, though there has been much subsequent discussion.
12. Abraham Maslow, "A Theory of Human Motivation," *Psychological Review* 50 (1943): 370–96.
13. Ibid., 375.
14. "The present theory then must be considered to be a suggested program or framework for future research and must stand or fall, not so much on facts available or evidence presented, as upon researches yet to be done" (ibid., 371).
15. Maslow would object if these other ends—for example, greater security from attack, more and better friends, more leisure, and so on—could not be assigned to the first level. But he would agree for first-level ends—for example, better shelter and clothing.
16. One of Murray's sources for his data from happiness surveys, Richard Easterlin, suggests that people responding to questions about their happiness typically assess what I am calling their "contentment" instead. Richard A. Easterlin, "Does Money Buy Happiness?" *The Public Interest*, no. 30 (1973): 3–10.
17. Recall J. S. Mill's preference—which he took to be compatible with his utilitarianism—for being a dissatisfied Socrates over being a satisfied pig. (Here "satisfied" means "content.") We ought to accept this, since we are treating happiness as what is really good, while contentment is a secondary notion, defined as having as much happiness as, or more happiness than, one had expected. (Admittedly the relationship between happiness and contentment may not be quite so simple; it does seem that Socrates would have been somewhat happier if, other things equal, he had been more content. The issue is too complex for adequate treatment here.)
18. Of course, the case of the poor deserves special attention for several reasons, among them the fact that the poor are less able to parry the effects of misguided governmental programs than are the rich. For example: "During the past 30 years, the United States has cut away the private housing market in poor neighborhoods, with widespread public housing and rent control and a multitude of regulations. As a result, affilations through housing choices have become almost as difficult for poor people in urban America as they are in a socialist country with a central housing authority. The results have been disastrous." (Charles Murray, "The Pursuit of Happiness under Socialism and Capitalism," *Cato Journal* 11, no. 2 [Fall 1991]: 239–58 at 253.) Murray goes on to explain that "a free housing

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market represents just one way in which private property and the freedom to choose enable people to live their lives among people who share their values" (ibid.).

19. I am assuming—what surely is plausible enough—that sick people's need for medical care belongs at the lowest Maslovian level. Murray does not discuss this question, and Maslow's oblique comments suggest, if anything, that the need for medical care be assigned to the second level.
20. Here the relevant thresholds would be *happiness*-thresholds. Maslow attributes overriding potency to lower-level as opposed to higher-level desires, but Murray accepts this only when the satisfaction of the subject's lower-level desires has not reached the threshold.
21. This may be what Murray himself has in mind; see Murray, *In Pursuit*, 106–7.
22. Charles Murray, "The Prospects for Muddling Through," CRITICAL REVIEW 4, no. 4 (Fall 1990): 498.
23. See also Murray's discussion of antidiscrimination laws.
24. Though family relations are an important component of happiness, they receive very little treatment in *In Pursuit*. Murray also neglects romantic love; perhaps he thinks (wrongly, I should say) that public policy is likely to be irrelevant to it.
25. If happiness really is a matter of experience we should admit that being grossly deceived by an Evil Genius is not incompatible with happiness. Murray's contrary argument, which appeals to Robert Nozick's "experience machine" thought-experiment (Murray, *In Pursuit*, 45–47), strikes me as inconclusive.
26. Murray, "The Pursuit of Happiness under Socialism and Capitalism," 254.
27. He does briefly describe how an imaginary working-class neighborhood would come to be formed (Murray, *In Pursuit*, 285). The actions involved are all voluntary, not coercive.

    There is also this, from the *Cato Journal* article: "The key concept in this discussion is 'affiliation,' the label I will give to the process whereby intimate human relationships are formed. I quote Edmund Burke again: 'Men are not tied to one another by papers and seals. They are led to associate by resemblances, by conformities, by sympathies.' [The reference is to Burke's *First Letter on a Regicide Peace*.] . . . Affiliation behaviors, as I am using the term, are not contractual. . . . Most commonly, interactions embraced under the heading of affiliation are small steps. . . . Affiliation is a means whereby people of common values are enabled to live by these values. . . . [O]nly under the Jeffersonian conception of freedom can people make the hundreds of small choices that lead to affiliations" (Murray, "The Pursuit of Happiness under Socialism and Capitalism," 251–52; emph. in original).
28. Easy entry and exit would be a check on tyranny, but in a small community, where informal, face-to-face sanctions work well, the tendency to tyranny (except perhaps in some metaphorical sense) is slight in any case.

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The most familiar example of a quasi-governmental community, the primitive tribal group, seems never to develop totalitarian characteristics; indeed, it is not, strictly speaking, a government at all. See Michael Taylor, *Community, Anarchy and Liberty* (Cambridge: Cambridge University Press, 1982).

29. Murray, "The Pursuit of Happiness under Socialism and Capitalism," 249.
30. Ibid., 250.
31. Ibid., 242.
32. Furthermore, a utilitarian should want her definition of "happiness" to be purely naturalistic ("value-neutral") rather than moralistic. Utilitarians aim to specify what ought to be done in terms of what is good; that is, to base morality on value. But then the good must be specified in nonmoral terms, lest the whole procedure be circular. We must be able to apply the concept of the good without making any moral judgments, because the utilitarian theory bases moral judgments on judgments of goodness.

    Of course, utilitarianism may be criticized on this score. It seems undeniable that my "happiness" in the everyday sense is adversely affected when I judge myself to have committed a moral offense; so happiness *is* somehow dependent on morality. I think the utilitarian should reply that this dependence is merely causal, not conceptual, but the issue lies beyond our present scope.
33. See n32 above.
34. Murray's conception of one's social responsibility is "earning one's life": "we cannot be drawing more out of the world than we are putting back and still retain our self-respect" (Murray, *In Pursuit*, 123). Some would find this a nonutilitarian view, on the grounds that utilitarianism requires *maximal*, not just *positive*, net contribution to society. The point cannot be adequately addressed here, Murray can at least appeal to the authority of J. S. Mill, who professes a similar combination of views (see Mill's *Utilitarianism*, ch. 5).
35. Murray sometimes gives the impression that these "others" would belong to the agent's own community, but in theory no such limitation is justified—all people ought to count equally. Of course, in practice most of the effect of an agent's actions will likely be felt within her own community.
36. Am I assuming a Calvinist attitude toward work as the path to salvation, and rejecting the pre-Calvinist view of work as a curse? No; my point is that one cannot shift the burden of this curse onto other members of her own community without feeling bad about herself, except under the press of dire want or grave danger. Admittedly, several passing remarks in *In Pursuit* show that Murray is aware of the affinity of his thinking with Puritanism, British Victorianism, and Weber's "Protestant Ethic." This does not necessarily call for apology on his part.
37. Without trying to defend the complete validity of Maslow's theory, one might support his claim about self-respect by appealing to Kant, accord-

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ing to whom Reason itself requires that we respect all rational beings, including ourselves. Every rational being must feel this demand—though it is another question how unhappy one would make oneself by flouting it.

38. Mihaly Csikszentmihalyi, *Flow: The Psychology of Optimal Experience* (New York: Harper and Row, 1990).
39. Edward L. Deci and Richard M. Ryan, *Intrinsic Motivation and Self-Determination in Human Behavior* (New York: Plenum, 1985).
40. Murray, "The Pursuit of Happiness under Capitalism and Socialism," 255.

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Paul Rosenberg

LIBERAL NEUTRALISM AND THE SOCIAL-DEMOCRATIC PROJECT

Liberalism is either nonneutral toward, or unfair about, ways of life that fail to produce goods that are instrumental to social purposes. Nonredistributive, Nozickian liberalism is neutral toward such ways of life, but it unfairly fails to make them accessible to those who lack the means to pursue them at their leisure. Social-democratic liberalism attempts to universalize access to all ways of life, but in practice it violates neutrality by drawing everyone into the production of redistributable primary goods. This is why the notoriously noninstrumentalist humanities have been marginalized; challenging the belief in liberal neutrality may therefore be essential to their survival.

Much of contemporary liberal political thought revolves around the idea of the neutrality of the state vis-à-vis "comprehensive conceptions of the good." In the first part of this paper I argue that, given widely held assumptions about human needs and the role of political and economic institutions in meeting needs, such neutrality is impossible. The second part of the paper explores some consequences of this. There I argue that an historically informed political theory of the sort found in the works of Taylor, MacIntyre, and Foucault can identify certain ideals of the good life as inherently valuable despite the fact that they have no instrumental justification. Thus, rather than defending a pluralistic image of society, I

CRITICAL REVIEW, Spring 1994. ISSN 0891–3811. © 1994 Critical Review Foundation.

Paul Rosenberg, King's College, Cambridge University, CB2 1ST, United Kingdom, thanks Jeffrey Friedman, Leif Wenar, and Kalypso Nicolaidis for their helpful comments.

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will advocate a society that self-consciously uses the collective control of economic resources to make possible certain ways of life and exclude others. But this does not mean arguing for a radical departure from current practices. Real pluralism would require measures very few people in our society—including those who consider themselves neutralist liberals—would want to defend. We are committed to a paternalistic—and this means, I think, a non-neutral—regime. The open question is whether this paternalism will be practiced unself-consciously, with the consequence of privileging instrumental activities to the exclusion of all others; or whether it will be practiced self-consciously, with the consequence of privileging instrumental activities and a select range of noninstrumental activities as well.

Liberal Nonneutrality

The liberal belief in state neutrality has taken three principal forms, and my concern in the first part of this paper is to analyze these forms separately, showing in each case that the claimed neutrality is an illusion since particular forms of the good life are in fact being privileged. The first view takes the role of the liberal state to be the provision of "primary goods"—civil liberties and economic resources—to all citizens, but abstracts away from the question of how the economic resources are to be produced, and so neglects that free time is a primary good. The bulk of the paper takes up the discussion of two other views, which I will call laissez-faire and social-democratic liberalism. Each recognizes the importance of the scarcity of economic resources and thus of free time; each claims to be able to allocate these primary goods through a neutral theory of justice.

The first of these three versions of neutrality is the most straightforward and also, possibly, the most widespread, at least in academic political thought. In this view, individuals differ as to their "comprehensive conceptions of the good"—that which gives life meaning and value. We may wish to respect these differences because we feel that philosophy has been unable to give a definitive answer to these ultimate questions, or perhaps because we believe that treating individuals with equal respect is an overriding value—though it might be argued that the latter motivation depends upon

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some version of the former. We can, however, enjoy the benefits of social cooperation without having to reach agreement on the nature of the good life. All we need is an agreement on the preconditions that these different conceptions of the good life require for their realization—such things as the economic goods needed for physical survival and comfort, and freedom from political persecution—what Rawls calls "primary goods." A state can act neutrally by providing primary goods equally to all citizens, or at least in a manner that justifies any inequalities of provision in an egalitarian way, as Rawls has suggested in his idea of the difference principle.[1] No vision of the good life is privileged: Protestant, Catholic, and Jew have the same civil liberties and receive the same consideration as far as the distribution of wealth is concerned.

The difficulty with this view of neutrality lies in the narrowness of its conception of the necessary primary goods: civil liberties and material resources are considered essential preconditions for realizing any chosen plan of life, but free time is not. The scarcity of free time is ignored or abstracted away from. In recognizing the fact that consuming goods and services is essential to our ability to realize our projects, this version of liberalism neglects the fact that we must produce these goods and services, and that such productive activity uses up time. Abstracting away from the importance of free time as a primary good makes sense, it seems to me, only if we are considering a certain range of visions of the good and ignoring the rest. It makes sense if we consider visions of the good life that require only insignificant amounts of time for their fulfilment or perhaps are not time consuming at all, as they involve not specific activities but a general attitude or spirit that can inform any activity. If all that my particular conception of the good requires is church attendance on Sundays, or an hour a week spent in prayer and meditation, or perhaps just a general spirit of detachment or self-affirmation, then it doesn't matter if material needs force me to spend most of my time working at the factory or office. But consider instead the aspiring sculptor or concert violinist, or even the individual who hopes to spend most of his time in an activity that would be widely considered ridiculous, such as counting blades of grass, as he thinks it has religious significance.[2] Here free time matters enormously. A society that guarantees all workers equal wages, but has no way of supporting the arts or the humanities or religious activities, would make the life of the bank employee pos-

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sible but not the life of the pianist or Milton scholar or, for that matter, the Druidic priest. Can such a society really be said to respect all visions of the good life equally?

In what follows I will consider two conflicting theories of how the state can be involved in the allocation of economic resources while remaining neutral vis-à-vis particular conceptions of the good: classical or laissez-faire liberalism and welfarist or social-democratic liberalism, which I will also call social democracy. In both of these cases it is recognized that the scarcity of economic resources and thus of time represents a significant limitation on human freedom. There is no way to immediately provide all necessary primary goods to all citizens. The production of the goods and services we all need to survive and to pursue our projects requires human labor time: if someone is enjoying a primary good, then someone else's freedom is being constrained. Classical liberalism sacrifices the freedom of the laboring poor to make possible the leisure and therefore the freedom of the rich. In social democracy the freedom of the next few generations is sacrificed to buy—in theory— the freedom of all future generations. In both cases, it is believed, the primary good of leisure or free time will be allocated unequally, but in accordance with a neutral theory of justice.

Thus, laissez-faire liberalism confines the role of the state to enforcing formal rules for the just acquisition and transfer of property and to the provision of public goods. These formal rules are justified by a political theory that claims independence of any particular vision of the good life, as the theory of Robert Nozick does.[3] The ability or inability to pursue one's chosen vision of the good is to depend solely on one's having fairly acquired the economic means to make such a project possible, whether through one's own efforts, or through the generosity of parents or philanthropic donors, or on having found a job where one is paid for doing what one wants to do. Economic resources are to be allocated only through the aggregate decisionmaking of countless private individuals. The consequence of this form of liberalism would be a situation of almost ideal liberty for the independently wealthy or rentiers, with everyone else's chances for realizing their vision of the good dependent on the vicissitudes of the labor market or on the whims of wealthy patrons.

Belief in laissez-faire liberalism meant accepting that current claims to private property were just—or at least that procedures

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existed whereby unjust claims could be exposed and rectified. Showing that current claims were just meant, as Nozick emphasizes, conducting an historical inquiry that would trace back each claim through a sequence of just transfers to an original just acquisition. But in practice, laissez-faire liberalism had no such rock-solid foundations. It rested, rather, on a generalized presumption, more often implicit than explicit, that such historical inquiries, if conducted, would be successful. This presumption, I wish to argue, is plausible given certain sets of background assumptions about human nature, and implausible given others. More specifically, it is plausible when our background culture identifies the human good as the life of the wealthy aristocrat, whose independence is the precondition for the "higher" activities of politics, war, or philanthropy.

Why is this background so important for the laissez-faire view of justice? The full argument is too lengthy to be presented here, but an abridged version can be given. Most of our justifications for inherent property rights are, I think, circular: they take for granted a world in which individual property rights already exist and are considered just. I can accumulate property by selling my skills on the market for more than I need to live, but such a market already presupposes a plurality of separate buyers, acting independently of each other, who control property. If I am up against a single buyer, a state that controls all property, there is no way to bargain for more than subsistence. Even if we allow for the assumption of "self-ownership," differences between individual levels of skill and initiative cannot of themselves justify a world in which there is private property as opposed to collective ownership.

For an aristocratic culture, private property does not need to be justified by being earned. It is, rather, a "primordial" institution: the identity of aristocratic families is bound up with their ownership of particular pieces of land, and such families are thought of as existing prior to the collective social world they may share. The stability or viability of such a culture rests tacitly or implicitly on a commitment to social responsibility: the aristocracy must provide leadership, and if it fails, in the long run, it faces expropriation. This is a covenant that, by necessity, can never be a contract. If it were made explicit or formalized, private property would in effect be replaced by collective ownership.

As long as we share an aristocratic view of the good life, we will

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be sympathetic to the idea that private rather than collective property is the more primordial institution. If, however, we challenge this view of the good—if we even question the idea that a propertied elite provides necessary political leadership—we will see aristocratic property not as truly private but as a kind of trusteeship, collective property on "permanent loan" to individuals, and will thus see collective property as more primordial.

The internal connection between aristocratic ideals and the laissez-faire view of justice can be argued for on other levels as well. If we assume that there are two theories of justice in competition with each other, one based on an unconditional respect for property rights and the other on a commitment to using all available resources to meet human needs, and that neither theory can convincingly appeal to philosophical foundations that all can accept—as social contractarian arguments claim to do—then our decision between these theories will obviously be influenced by our view of the good life. If we believe that the good life requires independent wealth, and are willing to accept an ideal of the good for which only a minority, at any given time, can lead fully human lives, then we will be inclined toward the laissez-faire view of justice. A vision of the good life as a life of productive labor would incline us toward the opposite view. It should be stressed that in both cases the connection between the theory of justice and the conception of the good is visible only if we deny that the theory of justice has an abstract, ahistorical foundation. As long as we believe in such a foundation or even hope that it can be demonstrated in the future, we can hold our theory of justice to be neutral.

Thus, I would argue, the laissez-faire theory of justice never truly stood "on its own feet": it was always dependent on a particular view of the good. This dependency, it must be emphasized, was distant and indirect. Classical liberalism, like many other belief systems and institutions, had a "cultural inertia" that enabled it to survive and have influence for generations after its original foundations had been undermined. The historical fortunes of laissez-faire theory bear out, I would argue, this picture of tacit dependence on an aristocratic culture: aristocratic ideals remained powerful in Europe and even America until World War I, just before the era when classical liberalism went into permanent decline.

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Social Democracy as the Universalization of Laissez Faire

Laissez-faire liberalism was, of course, only the first of the two major forms in which modern liberals have attempted to realize the ideal of a neutral state. From the late nineteenth century onward, social-democratic liberalism came to conceive of the economic role of the state in entirely different terms. The collective interest in controlling property came to be seen as "prior" to the private interest. The public/private boundary characteristic of all liberal theory was redrawn to allow state regulation or control of the economy for the purpose of creating the preconditions of private freedom. There were early social democrats who understood these preconditions simply as the guarantee of a living wage and of such provisions as insurance against unemployment, sickness, and old age. But I doubt that social democracy could have been established against the stalwart opposition of classical liberals had its initial vision been so limited.

I see social democracy as emerging, rather, through a utopian extension of Enlightenment and nineteenth-century theories of progress. Classical liberalism had idealized freedom, but this freedom was really meaningful only for the few who possessed independent wealth. The rest of society lived in a combination of formal freedom and economic slavery. Social democracy began as the project of making such rentier freedom, or at least an ever-closer approximation to it, possible for everyone. The social democratic state was to systematically direct the process of economic growth and redistribute its results. Technological advance and the continual increase in the productivity of labor through the accumulation of capital would make possible the provision of basic necessities to the entire population with an ever-shrinking fraction of the working day. The leisure, and presumably the cultural opportunities, of the old aristocratic elite would become available to everyone. Keynes predicted the advent of a leisure-time society in a few generations.[4] In such a society both political and economic coercion would be minimized, and the ideal of liberal neutrality would take on a real meaning for everyone. All conceptions of the good life, from painting and mathematics to counting blades of grass, could flourish equally.

The principal reason why Keynes's predictions embody a way of thinking that now seems alien is that we are no closer to having an

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economy capable of meeting all human material needs with less than a full working day. Productivity has expanded massively, but so has our definition of material needs. It is crucial to be clear on how the term *needs* is being used here. A social democrat understands as needs those goods that should be available to everyone, provided they are fully employed. No one who is willing to work should have to go without food, shelter, or basic medical care. Given this understanding of needs, even a society with a highly productive economy might still find most of its citizens choosing work over leisure, but this choice would be voluntary, and complete freedom would exist to choose free time at the cost of material sacrifice. The state would remain neutral in the choice between, say, the highly productive but stressful life of an urban professional and the leisure-oriented life of a commune of farmers.

It could be argued that this situation in fact exists today in much of the developed world. But the long-term drift of social democracy is toward a very different kind of society, where needs are defined paternalistically by the state and not by individual choice. There are certain needs that are so vital to the possibility of individual freedom, of bodily and personal integrity, that their fulfillment should be not simply a right, but an inalienable right: individuals cannot be given the choice of neglecting these needs for the sake of some lesser purpose, as their future freedom is at stake. The paradigm for such a need is, of course, medical care. The industrial societies have taken a paternalistic attitude toward these needs since at least the late nineteenth century, as is shown by the practice of the monopoly licensing of the professions: individuals are not allowed the choice of going to a possibly unqualified doctor to save money. In the mid- and late twentieth century both the power and the cost of medicine have increased dramatically and without an obvious natural limit: the ultimate "horizon" of a technologically advanced society may be neither greater comfort nor a greater choice of luxuries but the most vital primary good of all—ever-growing longevity.

Technically speaking, of course, health insurance resembles other goods in that in principle one could voluntarily renounce it, opting out of the welfare state's cradle-to-grave safety net in exchange for increased leisure. The consequences of such an opt-out contract would rapidly become irreversible: as it could not allow free riders and thus undermine the entire system, the state

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would be forced to bar the doors of emergency rooms to the voluntarily uninsured.

A world in which the cost of mandatory health insurance is so significant as to be a major constraint on individual freedom is perhaps still a few generations away. But it is difficult to doubt that the wealthy social-democratic societies are moving in that direction. If the neutralist, antipaternalist ideal were still strong, one would at least expect a few voices of anticipatory protest. Classical liberals such as Milton Friedman have indeed denounced such paternalist institutions as compulsory old-age pensions, but social democrats, to my knowledge, almost never have.[5] The absence of an intellectual movement favoring opt-out contracts can be seen as a significant non-event, a dog that hasn't barked.

It is crucial to stress here that this process, in which a more and more comprehensive system of social and medical insurance is being created, without any question being raised as to whether participation in the system should be even partially voluntary, is not the result of a conscious ideological plan. Social-democratic liberals did not set out to build a world so committed to work and so restrictive of individual freedom, but they did set in motion a process that is leading ineluctably to such a world. Nor is it the case, however, that people in social-democratic societies are conscious that they are creating something they never really wanted. The question of whether the ultimate goal of social-democratic societies should be freedom, of whether opt-out contracts are desirable or not, simply plays no visible role in our public culture. The issues we are confronted with on an everyday basis as doctors, scientists, economists, journalists, or politicians don't require reflection on these questions. Certain goals, such as the overcoming of race and gender prejudice, the fair distribution of resources, and above all economic growth, are accepted as unproblematic. If a project can be shown to contribute to these goals, it requires no further justification. Social-democratic society seems to function very smoothly without philosophical questions of the sort I am raising here playing any part in its public life.

One can, however, raise such questions quite easily, simply by pointing to the discrepancy between the hopes of the early social-democratic reformers and the apparent tendencies of the present. Once the discrepancy is brought to attention there are, I think, two possible responses. The neutralist response is that the original ex-

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pectations of the early social democrats are indeed still valid, but will take longer to realize than was hoped. Needs are finite: one day a point will be reached in the expansion of longevity where further health insurance will, by general consensus, be made voluntary. This neutralist position may come eventually to seem arbitrary and willful, but in the strict sense it can never be falsified. There could always be some point when the original social democratic prophecy comes true.

The non-neutralist response is that there must be a deep reason why the original hopes of social democracy are not merely unfulfilled but are neglected even as hopes. The reason why our definition of needs seems to be expanding indefinitely is not that needs, while finite, are very extensive, but rather that some shift has taken place in our background understanding of human nature and the good life that requires us to treat any possible advance in longevity as a need. If this latter position is true, the role of the state in contemporary social-democratic society has no neutral justification, but is only justified on the basis of a particular understanding of the human good.

The explanation for this shift in our understanding of the good life, and therefore for our lack of interest in opt-out contracts, is to be sought, I think, in the same process of cultural transformation of roughly a century ago that marked the beginning of social democracy. Closely linked to both the advent of social democracy and the demise of aristocratic ideals was a profound change in the status of such professions as medicine, law, engineering, science, and public administration. The professions are, of course, ancient, but until the late nineteenth century their practitioners held high social esteem only if they also had a classical education or social ties to the aristocracy. English barristers, physicians, and clergy, for example, were usually second sons from gentry families who followed a profession as a way of approximating an aristocratic style of life. The last part of the nineteenth century saw a rapid development in which technical expertise and devotion to professional ideals of service became sources of prestige in their own right. The new model of professional service was antithetical to aristocratic ideals. Its virtues were fairness, moral universalism, scientific detachment, the work ethic, meritocracy, and humanitarian concern. The possession of independent wealth was no longer a prerequisite for the "higher" or genuinely rewarding activities; professionals saw noth-

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ing degrading about accepting a salary. They did, however, try to distance themselves—at least in theory—from the self-interested or market behavior of entrepreneurs: professional services were to be distributed on the basis of need, not through the market or the ability to pay, and professionals were also to be protected from market competition through the practice of monopoly licensing. The new professionalism radically transformed the relation of work and wealth: just as wealth ceased to be a requirement for certain higher activities, such as politics and military service, it also ceased to be necessary as a motivation for other activities, such as engineering and management.[6]

This status revolution has had profound consequences. Humanitarian service, and not the life of the aristocrat, became the dominant social ideal. Taking part in the division of labor became more highly esteemed than being able to live independently of it. And just as this transformation undermined the belief in the inherent justice of property rights, it has prevented the rise of a belief in the desirability of opt-out contracts. If the good life is thought to require leisure, then forcing someone to labor to provide for socially defined needs is extending life at the expense of undermining its value. But if the good life is thought to be humanitarian service in occupations that make possible the extension of life, an individual who opted out would be making an irreversible sacrifice of his future potentiality for a fulfilling life in exchange for the chance to pursue a life plan that society holds to be of lesser value.

The paradox in this story is that the professional-humanitarian ideal of the good life came into being as part of a process of cultural change that was bound up with the utopian hopes of the early social democratic reformers. All societies since the advent of the division of labor have needed specialized work of various kinds. Normally, when the person performing such work was treated as a human being rather than a beast of burden, the motivation for labor was the hope of social advancement. Status was linked to wealth and the highest status to independent wealth. Many social theorists have tended to think of aristocracies as closed, hereditary castes, and there have, of course, been such societies, but it is wrong, I think, to view this pattern as the norm. Aristocratic traditions are ancient, but so is capitalism, and so too is the transformation of entrepreneurial wealth into aristocratic status. As soon as capitalism exists, there is the possibility of the individual accumula-

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tion of capital—and thus the motivation of labor through the hope of independent wealth. Work was meaningful because it could create the conditions of future leisure.

The project of the early social democrats should be seen as the attempt to make the freedom of the wealthy rentier in laissez-faire societies possible for all. The individual rentier became wealthy through work and the accumulation of capital; society as a whole was to reach the same end through collective labor and the collective accumulation of capital. The goal of the individual entrepreneur may have been far off, but there was little possibility of his losing sight of the end because of absorption in the means: the existence of status distinctions in his own society served as a continual reminder of where he was and where he wished to be. But the project of social democracy has been prone to precisely this kind of confusion or goal substitution. The utopian aim of the conquest of scarcity gave a new dignity and prestige to any professional work connected with technical or social progress. At the same time, the existing class of rentier aristocrats was downgraded in status: their lives may have been the pattern for the future of humanity, but for the present they were merely the parasites depicted in Veblen's *The Theory of the Leisure Class*.[7]

As the original goal slipped beneath the horizon of public awareness, the new values of professional work were entrenched and came to have an unchallengeable status. These values have come to form our background understanding of the good life, and against this background opt-out contracts cannot appear desirable. The effect has been the unconscious subversion of the original social-democratic project. But if the early social democrats have failed to create a leisure-time society, they have succeeded massively in altering social values. Even our rentiers now seem to live culturally and occupationally in the same world of meritocratic striving as the professional middle class.[8]

My aim in criticizing what I see as the illusion of social-democratic neutrality is not to undermine this world or open the way for its replacement. Indeed, I would like to see the values associated with higher education and professionalism become as widely shared as possible. I think that most people will be able, at least potentially, to find a sense of purpose in life through professional work, and would not find the paradoxical origins of professional values to be at all disquieting. My worry, and hope, is that

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this is not universally true, that there are at least a few people who would be disturbed by the story presented here. These people, while not turning into radical critics of social democracy, will come to find personal identification with modern professional values impossible. They will have to seek elsewhere for the fulfillment others can find in careers as doctors or administrators. The danger, of course, is that the ideology of neutrality could prevent society from recognizing their discontent as legitimate and from acting to sustain alternative ways of life such as the study of the humanities.

The Fall and Rise of the Humanities

If the above account of social-democratic society is correct, such a system is misdescribed by the picture of the state as a neutral framework within which different ideals of the good life can equally flourish. Insofar as we fail to acknowledge this, and attempt to see ourselves through the lens of liberal neutrality, we will tend toward the exclusive privileging of forms of life that revolve around our modern ideal of humanitarian service, and are thus ultimately instrumental in character. Many or most of the ways of life people currently find valuable do fall into this latter category, and could be directly supported by a state that saw itself as neutralist. There is no difficulty with the state employing or subsidizing doctors, natural scientists, accountants, economists, engineers, social workers, and so on, as the services such people provide are the preconditions for realizing almost any ideal of the good life.

But there are other forms of life that do not have this instrumental character. In most cases, a small minority might be found who think they are nonetheless valuable and worthy of state support, but not a stable majority. Grass counters might constitute such a minority, and if I am correct in thinking that the social-democratic state will play an ever-larger role in allocating economic resources, grass counting is fated to become impossible as a way of life. This shows that we are not fulfilling the ideal of liberal neutrality, but is otherwise not a matter of serious concern.

In a different category altogether are humanists. If the practice of the humanities were fated to eventually become impossible that would, I take it, be a serious issue. But why should we worry about this or even expect it? There are many people who assume that we

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can give the same sort of instrumental and therefore neutral justification for supporting the humanities that we can give for supporting medical research, even if the contribution made by the humanities is less tangible and less obviously a matter of necessity. Not of course that humanistic education is a primary good needed by all individuals in the manner of food or shelter. The humanities are seen, rather, as supporting a civic culture, needed by our political and administrative and professional elites to be able to perform their tasks. The great historical defenses of humanistic culture have almost always proceeded from assumptions of the political usefulness of the humanities: the Renaissance humanists saw themselves as educating the sons of the aristocracy in classical rhetoric and moral philosophy so as to prepare them for political life; the German Idealists and neohumanists who created the ideal of *Bildung* at the end of the eighteenth century were training future bureaucrats who, somewhat in the manner of Platonic guardians, were to preside over a paternalistic welfare state.

But neither of these visions took into account the circumstances of a social-democratic society, and both require assumptions about politics that social democrats have rejected. Earlier European societies, at least since the Renaissance, assumed as a matter of course that their elites would have some form of humanistic education, and that technical expertise in law or medicine or engineering by itself could not bring elite status. The new professional classes that emerged at the end of the nineteenth century saw their status and their claim to social and political influence as resting on technical expertise and humanitarian commitment alone. No new vision of the humanities comparable to that of the Renaissance or the late eighteenth century has developed since the new professional ideals became influential. This does not in itself prove that a social-democratic society is workable on the basis of a purely technical educational system—or even that *any* form of society is workable on such a basis. It seems, however, that we must at least consider the possibility that the humanities are an inheritance from earlier forms of society that are—from the standpoint of people who believe in social democracy—antiquarian.

If it is in fact true that the humanities are irrelevant to the social-democratic project of delivering "primary goods," it would provide a powerful explanation for the widely perceived decline of interest in the humanities that has taken place in the last generation. Books

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with clearly stated implications for large issues of public policy normally attract far more attention than books without such implications. The important question here is not, however, whether interest in the humanities has weakened or will continue to weaken, but how far this trend will go. Will studying the humanities come eventually to be regarded as a fringe activity, comparable to grass counting both in status and in its ability to attract public funding? Is the prestige of the humanities linked only to an inheritance from the era in which they mattered to public policy, and so fated to wither away entirely? I see no rigorous proof that this will not happen, and no possibility of such a proof; the fact that an institution has lasted for centuries is no guarantee that it will last forever. On the other hand, it does seem plausible that there is something distinctive about the humanities: if humanistic pursuits have always, in the past, had some connection to the wider concerns of politics and economics, this connection has usually been quite distant and indirect. Thinkers concerned with the humanities have often opposed them to the immediate, utilitarian interests of businessmen and politicians. There has always been a suggestion that the humanities are somehow the successor to Aristotle's ideal of the contemplative life in being above the need for an instrumental justification.

If the humanities, in their antiquarian twilight, do have a permanent antagonist, it is the belief in liberal neutrality. If my depiction of the long-term tendencies of social democracy is correct, both the financially independent rentier and the starving scholar, surviving on a marginal income outside of the social safety net, are fated to disappear. Traditions that survive will depend on public funding, and thus will need to be able to justify their existence before the bar of public reason. If public reason is dominated by the belief in liberal neutrality, the humanities will vanish: no longer making a contribution to some "neutral" civic culture, they can only be defended by appealing to a particular ideal of the good life.

Paradoxically, it is precisely because of this antagonism that the humanities, even in their situation of antiquarianism, may be able to find a focal point and a meaning. Most of this paper has been dedicated to criticizing liberal neutrality in its different forms. These criticisms grow out of a particular philosophical tradition. In rejecting foundationalism, criticizing contractarian theories, and

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trying to link theories of justice to concrete historical visions of the good life, I am following the Hegelian approach to political philosophy. I see the *Philosophy of Right* as a critique of laissez-faire neutrality understood as the ideology of "civil society," a critique that is meant to open the way for Hegel's Prussian and paternalist vision of the welfare state. Hegel's political philosophy cannot, I think, be isolated from the remainder of his system: his rejection of foundationalism requires his critique of the epistemological tradition, which requires, at least in some form, his metaphysics of Absolute Spirit, and his histories of art, religion, and philosophy. Hegel was therefore the defender *par excellence* of a politically engaged role for the humanities.

The rise of the social-democratic form of liberalism has, in many ways, preempted Hegel's critique of laissez faire. It has not, however, destroyed the cogency of his critique of epistemology or his insight that a neutralist liberalism is impossible. As social democracy has brought its own form of the ideology of neutrality, the possibility arises of a philosophical system, with a structure parallel to Hegel's, which would harness his insights to the contemporary situation. And indeed I believe, without being able to give a full account of this belief here, that my criticism of social-democratic neutrality requires precisely such a neo-Hegelian system.

Hegel saw the history of Spirit as a process of alienation from political life, the overcoming of alienation in the medium of religion, and the return out of alienation to a new form of engagement with the political world. A neo-Hegelian picture of the journey of Spirit would begin, I believe, not with the political life of the Greek *polis* but with the contemplative life of the Greek philosophers. Philosophy becomes alienated from itself through its engagement with politics. Just as Hegel saw Christianity as both the highest form of religion and as Spirit's preparation for its return out of alienation, I see Hegel's own system as both the highest form of philosophy's engagement with politics, and as a preparatory stage that makes possible the return to an essentially contemplative conception of philosophy. This final conception of philosophy is not, however, contemplative in precisely the sense of Aristotle or Plotinus, for whom the activity of the individual philosopher as the highest good is autotelic or has no end beyond itself. Philosophy, considered as an institution with a possibly infinite lifetime, is autotelic in this sense, but the activity of the individual philosopher is

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not. Each individual participant in philosophy is engaged in ensuring that the institution of philosophy has a future.

Philosophy of the kind I am describing here is made possible by the humanities and is, of course, a part of the humanities. If the belief in liberal neutrality prevents funding for activities that have no instrumental justification, philosophy will die out. The role of a neo-Hegelian philosophy is to criticize liberal neutrality, make funding for the humanities possible, and thus make possible its own survival. This is its only role.

What are the long-term prospects for such an autotelic conception of philosophy? Why should we find this ideal of philosophy any more interesting or likely to attract adherents than the ideals of Aristotle or Plotinus? Can the humanities survive once their original, instrumental justification has faded away? I don't think that it is possible to give a definitive answer to these questions. If the humanities continue to weaken, it will become increasingly difficult to find a hearing for the critique of liberal neutrality, placing the humanities in further jeopardy. If, however, this critique is influential, it will aid in creating the conditions for its own future influence. Both a vicious and a virtuous cycle are possible. Nothing commits us to one or the other except an ungroundable faith that the humanities really do transcend the need for an instrumental justification. Which cycle will win out is not a matter, it seems to me, of historical inevitability or rational necessity, but of human choice.

NOTES

1. The phrase "comprehensive conceptions of the good" is adapted from John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993). Primary goods are discussed in ibid., 178–90. The difference principle is discussed in John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 60. My use of these terms does not mean that the theory under criticism here should be identified as that of Rawls.
2. The example of grass counting is taken, of course, from Rawls, 432.
3. Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 33, 334.
4. John Maynard Keynes, *Essays in Persuasion* (New York: Norton, 1963), 358–73. Some early social-democratic theorists with similar views are discussed in Christopher Lasch, *The True and Only Heaven* (New York: Norton, 1991), 70.

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5. Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1962), 187–88.
6. Representative discussions can be found in Harold Perkin, *The Rise of Professional Society* (London: Routledge, 1989); Paul Starr, *The Social Transformation of American Medicine* (New York: Basic Books, 1982); Gerald L. Geison, ed., *Professions and the French State, 1700–1900* (Philadelphia: University of Pennsylvania Press; 1984).
7. Thorstein Veblen, *The Theory of the Leisure Class* (New York: Viking, 1967).
8. For the slow decline of the monied aristocracy as a distinctive social group, see Nelson W. Aldrich, Jr., *Old Money* (New York: Vintage, 1988).

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Brenda Almond

THE RETREAT FROM LIBERTY

In What's the Matter with Liberalism? *Ronald Beiner diagnoses the ills of liberalism along the three broad fronts where it is now widely challenged: its pretensions to moral neutrality; its lack of cultural standards; and its inability to deal with crime, unemployment, family breakdown, homelessness, rampant consumerism, and global environmental and economic problems. But even in its minimalist classical formulation, liberalism entails a substantive moral position, and is committed to resisting the violations of rights that lead to the crises with which Beiner is concerned.*

It is one of the ironies of history that just as defenders of liberty in the Western nations were celebrating the triumph of their ideas in Eastern Europe, the cries of "Viva libertas" were increasingly being drowned by the voices of critics within their own societies. Even erstwhile laissez-faire libertarians, appalled by the crumbling of the social fabric in some of the liberal democracies, can be found abandoning their creed in favor of the social market and community action.[1]

On the one hand, a form of conservatism is evolving that is authoritarian in essence. Evincing a Burkean contempt for "the dust and powder of individuality," this new conservatism rejects

CRITICAL REVIEW, Spring 1994. ISSN 0891-3811. © 1994 Critical Review Foundation.

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liberal philosophical traditions, whether Kantian or utilitarian, as egotistical, self-indulgent, and socially destructive.[2] Less surprisingly, the left, regrouping after writing off its recent reverses to Stalinism, is returning to the advocacy of state intervention and social engineering under terms it can share with the conservative right, such as community, on the one hand, and empowerment and the promotion of autonomy, on the other. Quality control; good housekeeping; managerial efficiency; health and safety; or equal opportunity: by whatever ends they are justified, new forms of control over the individual in the workplace, the educational institution, and the home are being advanced, diminishing the scope for genuine enterprise, innovation, and imaginative creativity.

The new battles against individual freedom are waged on a number of distinct fronts: conceptual, empirical, and philosophical. At the conceptual level, there is a dispute about the very meaning of liberalism—its essential or defining features. At the empirical level, varying perceptions of the descriptive features of liberalism, both actual and possible, compete for acceptance. At the philosophical level, there is a challenge to the ethical and political presuppositions of liberalism, much in evidence in contemporary communitarian writings of which Ronald Beiner's *What's the Matter with Liberalism?* (Berkeley: University of California Press, 1992) is a recent example. Beiner attacks liberalism on all three fronts. However, what he describes as his "socialist" alternative to liberalism is more widely attractive than the label might suggest, for his qualified socialism occupies a middle ground redolent of the "enabling welfare" endorsed by others such as John Gray and Joseph Raz, whose position would usually be seen not as socialist but as liberal or even conservative.[3]

The Concept of Liberalism

Intellectually, the roots of liberalism lie in responses to religious persecution and the antimonarchical sentiments that go under the name of the Enlightenment. Institutionally, liberalism is traceable to parliamentary government in England, and to the American and French Revolutions. In both cases it is essentially connected with freedom of thought, religion, and conscience. Liberalism sought to replace the hegemony of tradition and authority with that of rea-

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son, and to base political obligation on the free consent of the individual. It preferred law and constitutional guarantees to arbitrary force, and thus favored the separation of legal, executive, and judicial powers. Individual rights and, later, the principle of utility provided its philosophical foundation; universal suffrage and democracy its political expression; the free market its economic basis. It involves a certain conception of equality: equality before the law, but not equality of possessions or advantages.

In its later phases of development, however, the liberal individual was accorded a need, not merely to be respected—to be left free—by others, and in particular by legal authorities, but also to be "authentic"—to follow his or her own peculiar tastes and inclinations. Thus was social pluralism born out of the commitment to freedom and toleration. It was this second step that provided the basis for the argument that individuality needs bolstering by state provision of various kinds, leading in the end to the welfarist conceptions of liberalism that are current in contemporary thought.

It need hardly be said that this outcome is in conflict with liberalism's starting point: state support for the individual in any extended sense involves the raising of taxes, itself an invasion—albeit necessary for some purposes—of the individual's right to hold and retain possessions and to enjoy the fruit of his or her labors; it involves, too, support for the expensive bureaucracy needed for the work of taxation and redistribution, thus greatly increasing the role of the state that liberalism originally sought to minimize. Liberalism, however, still retains some of its association with the classical conception and is still, therefore, a term associated, particularly in Britain, with free-market economics and libertarianism. In the United States, in contrast, it is most commonly linked to the promotion of welfare and community or collective action. The labels, then, may be increasingly inappropriate and unhelpful. What is incontrovertible, however, is that the political implications of liberalism continue to undergo the rethinking that has characterized the tendency since its inception.

Beiner tends to criticize the classical libertarian more than the welfarist interpretation of liberalism, providing a sharper contrast to his socialist viewpoint. Nevertheless, Beiner shares a great many of the concerns of the conservative right: the rootlessness of the privatized individual in a mass society, the moral and cultural vacuum to which some versions of pluralistic liberalism appear to lead.

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Nor is he averse to joining traditionalists of the right in deploring crime, pornography, and the decline of the family. For good reason he has been called "a socialist admirer of Allan Bloom and George Will."

The central moral and political ideal of liberalism today is, Beiner believes, neutrality—neutrality, that is, in relation to competing ends or visions of the good. He sees a liberal society as one that postulates incommensurable values and rights but no positive principles, its only commitment being to what amounts in the end to a position of "moral incoherence." This neutralist (or neutered!) conception of liberalism is, in Beiner's view, the upshot of the doctrines advanced by Rawls, Dworkin, and Ackerman. He quotes Ackerman's assertion that "the liberal rejects the idea that a political community may legitimately further a collective good,"[4] and points out that Rawls, too, prefers to deduce rational principles for society from a contextless perspective, from the viewpoint of no particular society and of a disembodied and depersonalized individual. Beiner describes the goal of such liberal theorizing as a society in which "there is no need to adjudicate between competing substantive conceptions of what is good" (8).

For competing conceptions of the good are, according to liberal ideology, the prerogative of individual consumers, and the function of the political system is merely to guarantee their rights to choose among these ultimate ends. Beiner describes this as the "consumer model" of politics, in contrast to nonconsumerist conceptions of human fulfillment, which attempt to provide a substantive theory of the human good based on community-oriented goals. The dominant philosophical understanding of liberalism current in Western societies, Beiner maintains, elevates a lack of ethos into a principle for living. This "minimalist moral vision" instantiates, he says, just one principle or ideal—the elevation of *choice* to the highest good. The "way of life centered on choice, mobility and maximal personal freedom" (32) is, Beiner writes, well illustrated by attitudes toward the automobile, which allow private wants to supersede a wish that can only be expressed collectively, for an environment not dominated by the needs of the motorized style of life. In other words, and more generally, the liberal puts liberty ahead of perfection.

This is an essentially *ethical* understanding of liberalism—that is to say, an understanding of it as a theory embodying personal

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ideals and individual goals. Beiner acknowledges the more common *political* interpretation of it as a theory concerned with setting limits to the power of the state vis-à-vis the individual, but since the state is not the only source of coercion—advertising, manipulation, and false consciousness also play a part—Beiner chooses on the whole to leave this meaning aside, characterizing liberalism instead as "the regime of the modern bourgeoisie"—in Jacob Burckhardt's phrase, an "epoch of money-making and traffic."[5] This description also points to the more dominant *economic* interpretation of liberalism as, in its classical formulation, the promotion of the free market as a means to the generation of wealth.

Beiner adds certain other defining features to his portrait: liberalism embodies the ideal of the "open society," it promotes social and economic mobility, and it is essentially connected with pluralism. As far as this latter point is concerned, Beiner shares Allan Bloom's view that one feature of the plural society, the new politics of groups and alliances, may, in fact, be interpreted as a search for community in the lonely moral desert created by liberalism—the "fragmentation and moral anarchy of a liberal-pluralist universe" (9).

Liberalism in Practice

"The liberal regime is a regime of producers and consumers, not of citizens" (14). In characterizing liberal societies in this way, Beiner paints an unattractive portrait of their dominant features. Since we are in the habit of hearing or reading favorable comparisons between our own societies and the evils of former communist and socialist regimes—their oppression of the individual, their totalitarian imposition of conformity—it is fair to make the point that other comparisons, which are less often heard, are more favorable to these regimes. It was, for example, safer to walk the streets of Moscow, Warsaw, or Prague than those of New York. Today's liberal societies, if one takes the United States as the archetype, are at the mercy of crime, drug syndicates, and sexual exploitativeness. In addition, exposed to the "triple solvent of Protestantism, capitalism and the liberal ethos," (126) a mass culture has evolved that is indifferent to intellectual and moral virtue alike. Homelessness, unemployment, inflation, the decline of the family, and a painful

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struggle for the realignment of gender roles confront liberal societies internally, while externally they face environmental and economic threats of global proportions—war, terrorism, AIDS, and the instability caused by the vast disparity in wealth of North and South.

Moreover, even as the rhetoric of robust individualism renders liberal societies incapable of meeting these challenges, it conceals a reality of dreary conformism—a shopping mall culture in which there are hundreds of shops to choose from, but little difference in the products that they sell. Beiner describes this as a "dialectic of superficial pluralism and underlying conformity," and speaks pessimistically of the threat of the Americanization of the globe: "North America is history's great experiment in a cosmopolitan way of life" (24).

Today's liberal societies are also characterized, Beiner suggests, by the growth of bureaucracy, a creeping managerialism allied to the promotion of economic growth. British readers will immediately think here of the frequently inappropriate applications of managerialism to the provision of health, education, and transportation in the United Kingdom—not always happy developments in which the train passenger, the hospital patient, and the university student are all indiscriminately labeled "customers," while the number of managers constantly threatens to surpass the number of "real" workers in any of these fields.

Beiner's analysis, however, goes farther than this. There is, he suggests, a "postliberal malaise" in which unfettered individualism challenges the natural ties of family, neighborhood, and ethnic and national identity. Even religion and sexual orientation become options in the supermarket of lifestyles. As Bloom wrote in relation to education, young people now begin *de novo*. Both their religion and their sexuality are options available for selection, and any preliminary choice may be reversed at whim.[6]

Endorsing the argument put forward by Michael Sandel in *Liberalism and the Limits of Justice*,[7] Beiner insists that choice is meaningless when it is attached to a "thin" conception of a person. Only a person with some "thick" identity—gender; class; ethnicity; and a range of abilities, interests, and desires—can meaningfully be associated with the notion of choice. Beiner adds to this a significant remark on one important feature of people's identity, their religion: "It is surprising that commentators on the liberal-communitarian

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debate have not drawn attention to its religious dimension. It is hard to appreciate the full contours of the debate without being aware of the degree to which it involves a Jewish-Catholic challenge to the 'Protestantism' of contemporary Kantianism" (16).

Philosophical Remedies for the Crisis of Liberalism

No resident of an existing liberal society can deny the force of this critique. What, then, to echo another political thinker, is to be done? On the philosophical front, Beiner endorses Aristotle's dictum that "the student of politics must study the soul," and argues that we need to start by improving our understanding of human beings. A philosophical psychology or anthropology that throws light on the basic moral and political needs of human beings is a necessary precursor of any theory that would try to specify how society should be run.

Second, he advocates a "shift from a Kantian discourse of rights and individual autonomy to an Aristotelian discourse of virtues and character formation" (14). That is to say, he argues that it is necessary to move moral philosophy from its formalistic preoccupation with rights, interests, and preferences to a concern with *ethos*—the formation of character and the creation of community—"character formation according to socially bred customs and habits" (29). Only this, he suggests, can provide the foundation for a moral community: "It would be insane, theoretically and politically, to regard choice of 'lifestyles' as a private affair, not a public affair; for if it is not a matter of public concern whether members of a society are good citizens or bad citizens, what *is* of legitimately public concern?" (22)

Beiner's neo-Aristotelian avowal of the ideal of citizenship, bolstered and promoted by positive moral and cultural educational policies, makes him sympathetic to Robert Nisbet's recommendation that citizenship be "rooted in the groups and communities within which human beings actually live" (122). But while he recognizes the need for some source of enduring commitment, he is uncomfortable with one obvious way of supplying this need: the notion of nationhood. "Nationalism," he says, is "the Pandora's box of modern politics" (110). What Beiner offers in its place is a reinterpreted socialism—not the pursuit of equality, although equality of

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class and gender may be built into it, but the pursuit of fraternity or, to use his term, solidarity. The standard case for socialism, he suggests, rests on distributive justice—social and economic rights or entitlements. Beiner wants to replace this goal with citizenship and political enfranchisement (or empowerment). There is more than an echo in this last condition of the notion of "autonomy," which is preferred by some writers of the right to the older "negative" concept of freedom.

Beiner's specific recommendations include (1) an expansion of common ownership of the means of production; (2) state action to secure full employment (but with the condition that these must be "rewarding" jobs); (3) taxation to eliminate extremes of wealth (this, he suggests, should be based on a principle originated by Plato: that nobody should be more than five times richer than the poorest); and (4) a "stationary" or no-growth economy.

Beiner believes that a socialist program of this nature would emerge as superior to liberalism if the comparison were drawn, not on the basis of standard economic indices, but on *social* indices, measuring the presence or absence of such ills as crime, drugs, sexual exploitation, pornography, homelessness, unemployment, and the prevalence of consumerism and easy credit. People might well be poorer under socialism, he acknowledges, but he challenges the orthodoxy that this is necessarily a bad thing, claiming that "too much affluence breeds poor citizens" (152). In support, he quotes Alasdair MacIntyre: "A community which was guided by Aristotelian norms would not only have to view acquisitiveness as a vice but would have to set strict limits to growth."[8] In the end, the model Beiner tentatively advances is that of a large kibbutz, where decisionmaking is at a human scale, and community is the dominant political mode.

What's the Matter with Antiliberalism?

Before discussing Beiner's analysis of liberalism and the socialist alternative he proposes, it is worth noting that there are other conceptions of liberalism, some of which he himself discusses. In particular, he refers to Charles Larmore's reformulation of liberalism, according to which pluralism and neutrality are not to be seen as aims in themselves but rather as providing a necessary *modus*

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vivendi for the disparate groups in society.[9] And, in contrast to Robert Nozick's atomistic "ultraliberalism" (18), Beiner suggests that the classical liberals—Tocqueville, Mill, Green—were not atomists in this sense, and argues that there has always been a communitarian element in liberalism. Nonetheless, Beiner rejects liberalism both for its neutral ethical stance and for its *non*-neutral economic outlook, which endorses economic growth and technological progress.

Is liberalism, then, vulnerable to these criticisms? First, we may consider Beiner's view that rights-based moral theories are unable to deal with the broader environmental and economic ills confronting nation-states, and that a communitarian approach is needed to cope with the fact that technology makes our human fate a shared one. Beiner points out that scientific progress has made the world a global village in which environmental dangers and global economic forces alike prevent any nation or group from retreating into the private domains of either consumption or conscience. "Our destiny in this dangerous world of ours," he writes, "is a collective destiny" (34). Yet there is no reason to accept that collective problems cannot be solved by rights-bearing individuals. Environmental threats are simply new ways in which the actions of some human beings may cause death or harm to others. No appeal to authority, or to metaphysical claims of community, are needed to suggest that it is right to curb irresponsible environmental policies on the part of either firms, multinationals, or governments. Even the "hyperlibertarianism" of Nozick permits this when the logic of its argument is thought through to its conclusion. In other words, then, whatever the *practical* difficulties, there is no *ethical* objection from a liberal point of view to intervention by states, or even a suprastate, to protect some individuals against the life-endangering activities of others.

Similar considerations apply, too, to the social evils *within* the liberal societies mentioned by Beiner. Only the most thoughtless libertarians see their position as demanding the freedom to peddle dangerous narcotic drugs to the young, or to *use* drugs that make one into a social danger or at least liability; nor does liberalism demand, as Beiner suggests, freedom for some to infect others with a fatal virus (HIV), nor that films or videos should be freely available if they promote murder, cannibalism, or sexual violence. Without departing from the classical liberalism of John Stuart Mill,

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one may very plausibly argue that a violent pornographic video in the wrong person's hands is equivalent to shouting "All corn merchants are thieves" to an angry mob outside a corn dealer's house at a time of famine.

Positive Liberalism

Even a minimalist interpretation of liberalism, then, will permit—indeed mandate—action on many of the fronts that rightly arouse Beiner's concern without the need to resort to the remedies he proposes. The latter will, it need hardly be said, be distinctly unappealing to many. Voters are unlikely to welcome the degree of heavy taxation and state management Beiner proposes. But he may not be deterred by this; for there are passages in his writing strongly evocative of the totalitarian spirit. He writes, revealingly: "What we need is political philosophy that will no longer take human subjects as the supreme arbiters of their own interests and preferences, but will try to illuminate needs and desires of human life that the subjects themselves may have failed to acknowledge" (7). This separation of what people *think* they want from what someone else judges that they *ought* to want recalls Rousseau's incipiently totalitarian conception of the citizen "forced to be free," of which the *terminus ad quem*—although, of course, Beiner does not intend this—is the Gulag and the psychiatric hospital.

Is there, then, available a more positive form of liberalism, capable of providing more of the *substance* Beiner sees as missing from the prevailing neutralist conception? In order to answer this question adequately, it is necessary to return to the question of liberalism's essential aspects. At its base, it is simply the idea of the minimal state. But "minimal" has always included scope for two exceptions: the protection of the individual against internal and external threats, and the enforcement of contracts. I have already argued that the first of these exceptions is fully adequate to justify strong and effective policies to deal with both the macro- and the microproblems mentioned by Beiner.

But the second condition, too, could be made to do very much more work than it is usually expected to do in liberal societies. Many of the ills of these societies center on the decline of the family

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and the breakdown of the contractual elements in human relationships. Almost without notice or comment, it has in effect become, in a modern state, impossible to marry—if by that one means to make a long-term (or even fixed-term!) commitment binding on both parties. And states have removed ultimate responsibility for offspring, too, by well-intentioned but ill-devised measures of support for unsupported families. Without advocating a return to the total indissolubility of marriage or the neglect of unsupported children, it is nevertheless possible to propose that some of the ground lost by recent legislation could and should be retrieved. The reestablishment of binding contracts between individuals for such ventures as marriage and parenthood could be the basis for regenerating community in the sense to which Beiner aspires.

There is certainly no need to concede, then, that socialism holds a monopoly on community. The personal ties of family and the naturally evolving ties of neighborhood can be relied upon to assert themselves if people are given the protection from the actions of others that liberal principles require. The negative conception of liberalism has laid it open to charges of fractionalization and amoralism. But a positive conception was always truer to the original ideal, for which people have rightly been prepared to sacrifice life and personal liberty.[10] So it is not for us at our present vantage point to judge that they were deluded. Instead, we should acknowledge that they may have been subsequently misunderstood and betrayed.

Beiner's book provides a useful service in exposing the depths of this misunderstanding and the tragic nature of its consequences. Much of what he says rings true: there is indeed a liberal dilemma, particularly recognizable in the area of education, where any lack of firmness and clarity of principles or ideals is revealed by the litmus test of children's development. But the neutralist conception of liberalism, which linked it to permissiveness and indifference to all that is of value in human life, was always fallacious. Liberalism, in its commitment to reason and to the protection of individuals in the pursuit of their legitimate ends, as well as in its assertion of universal moral concepts, is a rich and substantive tradition, capable of competing with socialism, on the one hand, and authoritarian traditionalism, on the other, in the market of ideas.

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NOTES

1. See John Gray, *Liberalism: Essays in Political Philosophy* (London: Routledge, 1989), in particular "Postscript: After Liberalism" for a criticism of liberalism and the promotion of a "post-liberal" alternative.
2. See, e.g., Alasdair MacIntyre, *After Virtue* (London: Duckworth, 1981), and idem, *Whose Justice? Which Rationality?* (Notre Dame, Ind.: University of Notre Dame Press, 1988). See also Roger Scruton, *The Philosopher on Dover Beach* (Manchester: Carcanet, 1990).
3. See John Gray, *The Moral Foundations of Market Institutions* (London: Institute of Economic Affairs Health & Welfare Unit, 1992), in which the author recommends the promotion of autonomy by means of an "enabling welfare state." See also Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986).
4. Bruce A. Ackerman, *Social Justice in the Liberal State* (New Haven: Yale University Press, 1980), 277, cited in Beiner, 10n13.
5. Jacob Burckhardt, *Reflections on History*, trans. M. D. Hottinger (London: George Allen & Unwin, 1943), 64, cited in Beiner, 8n4.
6. Allan Bloom, *The Closing of the American Mind* (New York: Simon & Schuster, 1987), 109, cited in Beiner, 36.
7. Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), cited in Beiner, 16n2.
8. MacIntyre, *Whose Justice? Which Rationality?*, 112, cited in Beiner 164.
9. Charles Larmore, *Patterns of Moral Complexity* (Cambridge: Cambridge University Press, 1987), discussed in Beiner, 60.
10. I have discussed the idea of positive liberalism at more length in *Moral Concerns* (Atlantic Highlands, N.J.: Humanities Press, 1987) and in "Seven Moral Myths," *Philosophy* 65, no. 252 (April 1990): 129–36.

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Ronald Beiner

REVISING THE SELF

The liberal political morality developed in Will Kymlicka's Liberalism, Community and Culture *is in various respects stronger and more coherent than many theories of Kymlicka's liberal predecessors and contemporaries, but it still suffers from important weaknesses that characterize other liberalisms. By ridding liberal theory of unnecessary defects, Kymlicka helps to clarify why even a liberalism capable of repelling the communitarian challenge will continue to be subject to theoretical criticism.*

With *Liberalism, Community and Culture* (Oxford: Clarendon Press, 1991), Will Kymlicka has written a penetrating, highly illuminating, and exceptionally lucid book in which he sets out a systematic liberal doctrine of the relation between the individual and the community that is possible within the framework of modern societies. He defends the egalitarian liberalism of Rawls and Dworkin, reformulates this liberalism in places to render it more coherent in the face of challenges from critics of liberalism, and extends it in new directions. This is a book that deserves to be taken seriously by both liberals and their critics.

Kymlicka's first aim is to rebut what he considers the communitarian caricature of liberalism. According to this caricature, liberal-

CRITICAL REVIEW, Spring 1994. ISSN 0891-3811. © 1994 Critical Review Foundation.

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ism is a radically individualistic and subjectivistic philosophy that is blind to the social formation of character and individual purpose, and that subordinates practical reason to the caprices of individual desire. Kymlicka's response is that no intelligent person would affirm these premises, and certainly no intelligent liberal would, or does, affirm them.

Kymlicka draws from his favorite liberals, or imputes to them, his own vision of what it is to be a liberal. Kymlicka's core vision of liberalism involves what one might call the revisability of the self. Individual freedom is not cherished for its own sake. It is cherished because it allows us to reflect without constraint on whether the choices and commitments that we presently assume or hitherto have assumed to define our best interests really do secure what's best for us. If we are too tightly locked into cultural commitments, or if the state applies pressure to point us in one particular direction or another, this process of reflective self-examination and possible revision of the self will be stymied. State neutrality is crucial not because the proper ends of life are in principle unknowable but because state neutrality is a necessary condition for the process of individual self-revision. "Since lives have to be led from the inside, someone's essential interest in leading a life that is in fact good is not advanced when society penalizes, or discriminates against, the projects that she, on reflection, believes are most valuable for her" (34).

On Kymlicka's rendering of liberalism, the liberal agrees with Alasdair MacIntyre that "the good life is one spent in search of the good life" (56). The liberal disagreement with MacIntyre as well as other communitarians concerns the conditions necessary to the effective pursuit of this quest for the good life. For the Kymlickian liberal, the crucial condition is restricting the function of the state to upholding the traditional liberal set of personal liberties. For the communitarians, the basic necessary condition is embeddedness or situatedness in a communal tradition, historical identity, or set of social practices that give structure, direction, and coherence to what would otherwise be an aimless and disoriented quest for the good life. Kymlicka is perhaps right to suggest that if both the communitarian and the liberal can be taken as defining the good life as the quest for the good life, then either the communitarians are more liberal than they have presented themselves, or liberalism leaves sufficient room within its theoretical

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space for communitarian insights. Yet even if MacIntyre and the other antiliberals accept Kymlicka's revisability doctrine, it might still constitute a significant difference of principle for MacIntyre to insist that, for the process of self-examination to be a meaningful one, the practical agent weighing alternative conceptions of the good life must have a clear sense of where he or she is coming from and on what basis he or she decides to carry forward or repudiate a concretely established historical identity; and that for this to be possible merely negative liberties guaranteed by state agnosticism do not suffice. By what criterion can we test whether the self has substituted a new identity for its old one reflectively or simply on the basis of whim or boredom with its old identity? The liberal emphasis on negative liberties and noninterference by the state makes it difficult to probe too closely here, whereas MacIntyre's emphasis on character formation and the historical and cultural conditions of an identity that is not phony or shallow is capable of making this question of the meaningfulness of self-examination and self-revision a central one. Kymlicka's relentless interrogation of what precisely in liberalism is being repudiated by the antiliberals, or what it is that they appear to be repudiating without really repudiating, renders the dividing line between liberals and their critics an exceedingly subtle one; but subtle differences can be decisive.

In an important section of the argument, Kymlicka writes that while the basic calling of the self according to communitarian critics of liberalism is to *discover and reflect on* what is already given in its historical identity, the calling of the self for the liberal is to *judge and evaluate* the given. But the critic may reply that the liberal has too narrowly circumscribed what is subject to judgment. It is true that I may have chosen at some point in my life to pursue material comfort through the life of an accountant, and that on reflection I now see this life as pointless, leading me to give it all up for the more authentic existence of a free-spirited wandering minstrel. Yet why should this exhaust the scope of judgment? What about judging a social order that encourages me in the first place to want what the accountant wants, or indeed, that induces me to rebel against social roles as such in pursuit of individual authenticity? Doesn't the liberal horizon of questioning impede questioning and judgment of a broader kind?

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Perfectionism

For Kymlicka, it is ultimately for *individuals* to weigh competing conceptions of the good, and, as adverted to above, it is central to this vision of liberalism that the state butt out of this process of self-deliberation and adopt an attitude of political laissez faire. What is it for the state to be involved in the process of weighing conceptions of the good? A nonliberal answer to this question might run something like this: every social order instantiates collective determinations of what is good, shared ends of a global character—patterns of moral and political order that run through the whole fabric of social life, and that are more or less binding. So it is *not* simply a matter of the individual deciding on "projects that she, on reflection, believes are most valuable for her" (34)—nor are the collective determinations reducible to such judgments. Furthermore, the state cannot help but be involved in rendering such collective determinations authoritative. Consider, for example, transportation policy—say, the provision or nonprovision of a subway system in Los Angeles. There is no possibility of neutrality here. Either the state provides such a service or it doesn't (or it provides more or less expansive versions of the service). Not to provide it is not to abstain from involvement in civil society, for it tends to subvert or impugn modes of life premised upon alternative policies. The existence of public transportation favors certain modes of life while the nonexistence of such facilities favors alternative modes of life. Either way, the state is implicated in a collective decision. To insist that the state safeguard maximal personal liberty so that individuals can decide these things for themselves is thus to participate in the propagation not of liberal neutrality but of liberal mythology.

The problem is that talk of advancing particular conceptions of the good by the agency of the state immediately conjures up images of Stalinist gulags, Nazi eugenics, and Khomeiniist theocracy. But it is not so clear why one should rule out much more prosaic and familiar varieties of state-promoted non-neutrality. The state discriminates against cigarette smokers by punitively high rates of taxation on the consumption of tobacco. This is not a case of allowing individuals to investigate for themselves whether they have made right or wrong judgments about their best interests. To be sure, questions of demands upon social resources come into play here when cigarette smokers turn into lung cancer patients. But

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this simply shows that there is also a collective good to be considered here, which itself challenges the liberal model of the individual who deliberates on his or her own best interests, in the privacy of his or her own psyche.

Nonlibertarian liberals don't get too worked up about such policies because, non-neutral as they are, such policies are nevertheless perfectly reasonable and defensible. And so are countless other non-neutral policies of the state. In fact, it's difficult to think of *any* policies of the state, good or bad, that don't in some way privilege certain aims and aspirations and discourage or hinder other aims and aspirations. If I'm an uncompromising pacifist, tax dollars spent on defense are antithetical to my view of what's good. If I'm adamantly opposed to the work ethic in all its forms, state policies designed to boost productivity and to render the national economy more competitive prove that the state officially rejects my hippie philosophy. If I'm a child-hating misanthrope (or simply a libertarian bachelor who believes all services should be financed exclusively by user fees), state policies to improve education and child welfare condemn my vision of the good. And so on.

According to the neutralist principle, governments are not supposed to make judgments about the relative worth of alternative ways of life. But all liberal governments *have* made the judgment that certain ways of life are less worthy, and have put these judgments into practice. These examples of non-neutralism do not strike us as offensively illiberal; but the fact that they seem so benign relative to what we tend to associate with the political imposition of conceptions of the good does not prove that they don't also contravene the liberal principle of state neutrality. Rather, it proves that a strict enforcement of this principle would preclude the state from doing most of the things it typically does. Nor can one rescue the neutrality principle by seeking to prevent the state from doing the things it now does, since, as argued above, state inaction (e.g., nonprovision of a subway in Los Angeles) is no more neutral than state action.

Communitarian Liberalism

Just as in the first half of his book Kymlicka tries to show that there are larger doses of liberalism in communitarian arguments than

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communitarians sometimes pretend, so in the second half of the book he tries to show that there is a greater scope within liberalism for communitarian commitments than liberals generally assume. Thus, the second major aim of the book is to show how a reformulated liberalism could in practice justify the sort of communal identity and collective self-definition that the critics say it can never accommodate.

Kymlicka begins by addressing the Trudeau liberalism of the late 1960s that sought to undo the special constitutional status of Indian tribes in Canada. White liberals sought to promote individual equality *on behalf of* Indians, whereas the Indians themselves received the policy as an intolerable assault upon the collective preconditions for the defense of their way of life. No doubt with considerable bewilderment, the liberals retreated when faced with the violent resistance of those they were attempting to "liberate" according to the model of liberal equality. Kymlicka tries to render intelligible the hostile reaction of the Indians as well as what was so misguided about the proposed liberal policy.

The moral impulse behind the Trudeau government's Indian policy of 1969 was the standard liberal position that in a conflict between the claims of the group and the claims of the individual, the claims of the individual must prevail, even if this means that the group dissolves and cultural membership goes by the board. Kymlicka seeks to rescue liberalism from this anticommunitarianism, not by jettisoning liberalism but by redefining liberal principles with greater subtlety. Kymlicka's treatment of the theoretical issues raised by the predicament of minority cultures like the Canadian aboriginals is extremely fine, and he articulates the conflicting intuitions of a nondoctrinaire liberal with sensitivity and insight. In fact, the discussion of the moral complexities of according respect to Indians in a predominantly white culture, and of how liberals must modify their individualism and egalitarianism to do so, is one of the real highlights of the book.

Kymlicka's effort to construct a *liberal* argument on behalf of minority rights contains something of a paradox, however. The

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argument, basically, is that in order for the Indian or Inuit to make a reflective choice between the aboriginal way of life and the modern mainstream white way of life, the aboriginal way of life must exist as an option, and it cannot do so without special help and protection. Therefore liberal society must make special provisions to preserve this way of life, even at the cost of modifying or abridging certain basic liberties that it would otherwise guarantee to all citizens. The object is to broaden the choices of individuals (in this case, by broadening the choices of certain disadvantaged individuals at the expense of other individuals), not to perpetuate the minority culture as an end in itself: "Liberals should be concerned with the fate of cultural structures, not because they have some moral status of their own, but because it's only through having a rich and secure cultural structure that people can become aware, in a vivid way, of the options available to them" (165). The paradox here is the use of the term "options" in this context, for the only realistic way to protect the aboriginal cultures is by insulating them from the false seductions of a mainstream culture that destroys the lives of those it tempts. Kymlicka's paradoxical liberal argument is that options are enlarged through the restriction of options. He does not fully face up to the fact that what he is advocating as an entailment of liberalism is assistance for a community to fend off liberalization of its way of life. Kymlicka presents some dubious distinctions in Chapter 8 in order to pretend that this is really not what he is doing.

For instance, he tries to insist that in coming to the aid of an aboriginal way of life, the state is not promoting a substantive choice, but is merely sustaining a "context of choice." But this distinction seems obscure, since the aboriginal culture can only function as a context of choice to the extent that it has a definite content, embodying certain substantive choices and excluding others. Kymlicka tries to elaborate an analogy between Indian and French-Canadian culture, according to which French-Canadians retained their identity as a context of choice even after Quebec society had undergone a liberalizing revolution in the 1960s. Yet this analogy seems to defeat Kymlicka's purpose, for if Indians retain their Indian identity no matter how radically their culture evolves, what is the point of government helping them to defend a *particular* way of life? Here one can indeed begin to appreciate why liberals have thought it better to stay off this tricky terrain. Yet it is

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to Kymlicka's credit that he explores ground that is bound to be uncomfortable for liberals.

Kymlicka is right to demand that liberals stand up for the preservation, as a collective goal of the society, of aboriginal cultures threatened with extinction (and he is equally right to suggest that legitimizing aboriginal claims doesn't automatically legitimize all minority claims everywhere, independent of context). However, Kymlicka's idea of neutral concern and the provision of a sufficiently broad range of options in the liberal choice of a preferred way of life seems a roundabout way of defending government support for the aboriginal way of life. It seems much more plausible to say that these ways of life are simply valuable, that they are worth cherishing, and that it would be a crying shame if society, or government acting for society, were indifferent to their fate, allowing them to die out or, more accurately, to be snuffed out by the erosive individualism and irresistible dynamism of a bourgeois civilization. But this less awkward defense of minority cultures is not something that *liberals* can permit themselves to employ.

Shopping for an Identity

If Kymlicka's venture succeeds, then liberalism's critics on the left will be silenced. Kymlicka wants liberalism to incorporate everything that communitarians can tell us about the communal constitution of the self, while remaining recognizably liberal—that is, upholding the individual's ultimate prerogative to opt out of fixed roles and heteronomously determined ends. And Kymlicka wants liberals to take to heart Dworkin's dictum that liberal egalitarianism "cannot be denied in the name of any more radical concept of equality, because none exists" (95). (He intimates that Dworkin himself does not fully put into practice his own dictum.) Kymlicka's preferred liberalism is one that may still be objectionable to conservatives but that will have satisfied all the radical egalitarian aspirations of communitarians, feminists, and Marxists. Kymlicka more or less says what Rawls and Dworkin never say, although Kymlicka thinks their principles oblige them to say it: that liberalism put into practice is socialism.

Does Kymlicka's venture succeed? His appreciation of how communal attachments enter into the fabric of a human life is admira-

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ble. Yet lurking behind Kymlicka's quasi-communitarian liberal pluralism is the consumer paradigm. The state recognizes a common interest of all citizens in a sufficient range of choice in the selection of a given way of life. Therefore some ways of life that would otherwise perish are subsidized (or accorded constitutional privileges) to keep them open as living options. The state can do this without compromising consumer freedom since its function is to enlarge the inventory of cultural goods, not to determine the choice of this product rather than that one. However, once cultural identity becomes merely a commodity in the supermarket of life, it loses what had promised to elevate Kymlicka's political philosophy into a less impoverished rendering of liberal theory. Although Kymlicka claims to find Sandel's critique of liberalism either trivial or implausible, it is just this point that Sandel intended to make with his idea of constitutive community.

In Chapter 5 Kymlicka responds to the argument that government promotion of worthy conceptions of the good is inescapable. He replies that notwithstanding differing conceptions of the good life, public support of the mainstream cultural structure does not violate neutrality "because everyone has an interest in having an adequate range of options when forming their aims and ambitions," even if they ultimately decide to rebel against the majority culture. Following Dworkin, Kymlicka offers the suggestion that this could be reconciled with the principle of neutral concern by opting not for direct government support of ways of life judged to be valuable, "but by providing tax incentives for private citizens to contribute to the ways of life they find valuable" (81). But how can the rich account of cultural membership in Chapters 7–13 be squared with this proposal of tax incentives to enlarge consumer choice, and the reversion to a narrow liberal understanding of culture that it implies? It is when Kymlicka feels himself compelled to uphold Dworkinian neutralism that he reveals the underlying tension between his liberalism and the more expansive vision of social life unfolded in the second half of his book.

Despite his recommendations favoring Indian cultures, then, for Kymlicka, as for most other contemporary liberal philosophers, what defines liberalism is not just absence of state coercion but state neutrality vis-à-vis the competing ways of life on offer within a modern pluralistic society. The latter conception places a much more stringent restriction on state action than the former because

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when the state endeavors to persuade or educate the citizenry, it violates the neutrality principle without violating the ban on the resort to coercion. (In this respect J. S. Mill was not a neutralist liberal.) However, the question arises of why the state would go to the effort of encouraging the viability of a particular way of life unless it was thought that that way of life was worthwhile enough to warrant support. If it is simply a question of maximizing consumer choice among a variety of possible ways of life, why not subsidize the way of life of transvestites (if we allow that individuals who engage in these practices participate in a larger transvestite culture)? A strict neutralist liberal should demand the same share of state resources to maintain the transvestite way of life as to protect from extinction a threatened aboriginal culture. After all, the transvestite minority, too, is culturally disadvantaged relative to the majority culture. In other words, to the extent that Kymlicka enriches his liberalism with his insistence on the preciousness of cultural identity, he undermines the principle by which he defines his liberalism.

Kymlicka acknowledges that not every liberal theory defines liberal equality in terms of neutral concern—that is, the idea that "governments cannot use as their justification for any action the fact that one person's way of life is more or less worthy than another's" (96–97n2). Some liberals do (Rawls, Dworkin, Nozick, Ackerman, Larmore, and Kymlicka himself); some liberals don't (Raz and Galston, notably). Throughout this review I have been arguing that in many ways Kymlicka's reformulated liberalism is morally richer and less vulnerable to critique than other brands of liberalism (in part, perhaps, because he draws to some extent upon the sources of an older liberal tradition that predates the current Kantian vogue). However, in this one rather major respect I think that Kymlicka's own liberalism would be strengthened and enhanced by recognizing that as a description of liberal society, liberal neutrality is a misdescription, and that as a political ideal it is an unrealizable phantom.

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Charles Taylor

CAN LIBERALISM BE COMMUNITARIAN?

In Liberalism, Community and Culture, *Will Kymlicka suggests that the cultural resources with which communitarians have been concerned, inasmuch as they are prerequisites for the individual choice of the good, are appropriate objects of liberal protection. But Kymlicka's liberalism fails to fully meet the concerns of those who see their communities as intrinsically valuable—not merely as necessary means for the clarification of their options. Ultimately Kymlicka's approach shares in the tendency of liberalism to reduce manifold values to the single standard of equal concern for individuals—which results in a paternalistic disregard for those individuals' actual motivations.*

Will Kymlicka's *Liberalism, Community and Culture* (Oxford: Clarendon Press, 1989) is full of very interesting arguments and analyses, all of which deserve comment. I only have space here to take up one issue, but I think it is fairly central. Kymlicka wants to show that the liberalism of neutral concern, espoused by thinkers like Dworkin and Rawls, can indeed find a place for certain collective goals. This kind of liberalism has been taxed by its critics with constitutional insensitivity to the demands, for instance, of minority communities struggling to maintain themselves—the plight of

CRITICAL REVIEW, Spring 1994. ISSN 0891-3811. © 1994 Critical Review Foundation.

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many aboriginal peoples in North America is a case in point. These people are striving for more than their rights as individuals, runs the argument; they also aspire to preserve their culture, a common good. Surely the liberalism of neutral concern delegitimates this aspiration.

Kymlicka points out that while Dworkin and Rawls have not really addressed this question, this probably has a lot to do with the fact that they are Americans. American liberals, until fairly recently, have been proceeding on the assumption that they live in a society which either already was homogeneous or was rightly heading for homogeneity. In Canada, our experience has been different; cultural diversity has been a basic fact of life from the beginning. The failure to address this issue up until now, argues Kymlicka, has to do more with the selective experience of protagonists of the theory of neutral liberalism than with the resources of the theory itself. It is, in fact, quite capable of legitimating this minority concern for culture. Kymlicka, as a Canadian with a strong commitment to the defense of aboriginal rights, is well placed to show how this might be possible.

How does the rehabilitation proceed? The liberalism of neutral concern enjoins us to adopt policies that empower all equally to discern and live up to their freely elaborated conception of the good life. Neutrality resides in the fact that the society itself is not committed to one or another conception of the good. Its role is to facilitate individuals in their pursuit of the good that each defines for him- or herself, and that in equal measure.

But a community that acts to preserve its culture and way of life seems to be overstepping these bounds. Not, of course, in the limit case where the content of the common culture is confined to just this norm of equal concern: a community whose only common ground of identity was a commitment to neutral liberalism could, of course, act to preserve itself and its values. But there appears to be a problem for those cultures that privilege "thicker" and more substantive goods: for example, some language, or mode of worship, or form of community living, or style of family relationships, or some mix of all of these and others. That is, there seems to be a problem for virtually all really existing cultures. Liberalism seems to condemn the defense of such "thick" cultures.

Kymlicka wants to refute this presumption, and to show that there are circumstances in which this kind of cultural defense is not

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only compatible with neutral liberalism but strongly prescribed by it. He takes up a point frequently made by communitarian writers, that human beings can only make meaningful choices of their way of life against a background of alternatives which can only come to them through the language and cultural tradition of their society. "Our language and history are the media through which we come to an awareness of the options available to us, and their significance" (165). It follows that to be deprived of a relatively rich cultural background—or "cultural structure," to use Kymlicka's term—is to be crippled in our pursuit of the good. If the deprivation occurs because our historic culture, the only one that could be truly accessible to us, has been marginalized and impoverished—for instance, through the destruction of our traditional way of life—then there is a strong case for action to restore the health and integrity of this culture. There is a strong case for such action in the name of facilitating our pursuit of the good life as individuals—that is, in terms of neutral liberalism itself.

The cultural structure, in other words, can be seen as a kind of common resource that all individuals of the community draw on. Just as there is a liberal case for providing other such resources—a school system, for example—so there is for defending and promoting the culture where it is threatened. One can see why this justification of cultural defense applies particularly to oppressed and marginalized minorities. It is only those whose culture is under threat who need this kind of defense. Similarly, there are grounds for devoting disproportionate resources to the threatened community, since they have a need that the members of the majority do not share.

This is an important argument, and certainly draws the liberal position closer to some of its "communitarian" critics. Proponents of both will now see eye-to-eye on certain political issues. But it does not close the gap. What has happened is that a proponent of liberalism has found his own reasons to support the struggle for cultural integrity of some peoples, who for their part are engaged in this struggle for their reasons. The two are not the same. The liberal accords a culture value as the only common resource of its kind available for the group in question. It is the only available medium for its members to become aware of their options. If these same individuals could dispose of another such medium, then the case for defending the culture would evaporate. For the people

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concerned, their way of life is a good worth preserving; indeed, it is something invaluable and irreplaceable, not just in the absence of an alternative, but even if alternatives are available.

The difference comes out clearly on the issue of long-term survival. People who have lived in or near French Canada know the resonance of this goal of *survivance*. For the neutral liberal, the reasoning starts from the fact that certain already-existing people lack a crucial resource. For the community, the goal extends beyond serving the existing members to the continuance of the community through future generations. The goal that unborn people, say, my great-grandchildren, should speak Cree or French or Athabaskan, is not one that Kymlicka's liberalism can endorse—except where one might be able to show that these languages will represent their only viable cultural structures.

Not only are those reasons different, but the policies they justify overlap only in part. In certain circumstances, a case could be made for rapid assimilation, particularly for future members of the community, if the only goal were to ensure that all individuals have the cultural resources necessary to undertake their own pursuit of the good. The people of French-Canadian ancestry, now assimilated in New England, are doing just as well as any other segment of the U.S. population in leading their lives in the English-language medium they share with their present compatriots. But the loss from the point of view of *survivance* is clear.

So the gap is still there. The neutral liberal justification fails to capture the heart of a politics of cultural survival. It still delegitimates this heart, and embraces an overlapping set of policies for its own, different reasons. The danger of paternalism, which cultural communities have often felt in relation to liberalism, is still there. The paternalism will no longer take the form (at least in some cases) of extirpating these communities in the name of the good of their members (though it still will in others, as I have just pointed out). It will now enjoin their defense, but only for good liberal individualist reasons which give no place to the central motivation of the agents themselves.

Beyond this, it seems to me that there are still certain unresolved conflicts in Kymlicka's liberal defense of community goals. What if a threatened culture is committed to illiberal values? Do we still defend it? Kymlicka raises this difficulty, and then tries to deflect it by marking a distinction between the cultural structure of a com-

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munity, on one hand, and the particular character of the life that may be dominant in that community at a given time, on the other (168–69). Kymlicka's critics are likely to raise the example of Islamic "fundamentalists," whose "culture" allegedly involves restrictions on freedom. He validly rejoins that any culture is capable of many possibilities, and on this basis cultures are always undergoing internal transformations. The standard Western view of Islam is caricaturally narrow and rigid, as though non-Europeans identified Western civilization with Torquemada. But I am not sure that this resolves the problem. Cultures are, indeed, plastic and multifaceted things. But that does not mean that any one of them will allow anything. If this were so, they would be indistinguishable and uninteresting. The question is still open whether certain cultures, even at the widest stretch of their plasticity, are not committed to certain goods that are incompatible with neutral liberalism. Since even such a common aspiration as *survivance* nationalism is incompatible with liberalism, the answer to this question is almost certainly affirmative.

Another obvious difficulty for a liberal defense of community aspirations is the element of coercion and discrimination it may unavoidably entail. Suppose a minority of members want to assimilate. But suppose, at the same time, that the laws needed for the survival of the community require everyone's support. So all members of the community are taxed, say, to support some institutions; or in the name or survival, which a minority are happy to forego, their choice of language is restricted. Once we get caught in the rigid requirement of equal concern for everyone's view of the good, are we not forced here to violate our principle?

In closing, I want to bring out a more general problem. Kymlicka's interesting argument, which I think fails here, is an instance of a much more widespread argument form in Anglo-American philosophy. It is a reductive argument, in a sense, which purports to show that a superficial diversity of kind can be reduced to a single type or principle. So behaviorists try to show that there is no mind-stuff, but it can all be accounted for in terms of stimuli and responses; vulgar Marxists try to show that there are no independent moral or religious motivations, but it is all driven by economic factors; utilitarians try to show that you do not need deontological principles, but you can capture all the elements of decent behavior by calculations of utility consequences; and now a

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very ingenious neutral liberal is trying to show that some of our plausible communitarian political intuitions do not require an independent principle either, but can all be brought under the same umbrella.

Across different issues (some scientific, some moral), and across very different substantive positions (the "reductionists" in the above examples are often in violent disagreement), there is a similarity of form. Does this bespeak some common temper, some common structural features linking many different outlooks? I think so, and I think that there are common roots both in epistemology and moral thought for this temper. That is, there is a common tendency to consider certain things epistemologically and/or morally dubious and thus to reduce them despite wide disagreement on just what should be targeted in this way.

It is interesting to explore the bases of this common tendency, which I have been trying to do in recent work. But it might also be valuable to raise the issue whether this tendency ought to be challenged. Why this rage for reduction? Why do people think in the first place that it might be plausible that all our ethical commitments might be derived from a single principle? Alternatively put, what seems so strange about moral diversity? These reductions never seem to work. How long do we have to go through this mill till the penny drops and a question arises about the validity of whole enterprise?

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Will Kymlicka

COMMUNITARIANISM, LIBERALISM, AND SUPERLIBERALISM

Although Roberto Unger is sometimes described as a communitarian critic of liberalism, his recent three-volume work on Politics *disavows the major tenets of contemporary communitarianism—for example, the "embedded self," the critique of rights, the rejection of universalizing theory. Instead, Unger's aim is to criticize liberalism from the perspective of a "superliberalism"—a perspective which takes the original liberal desire to emancipate individuals from the chains of social custom and hierarchy and rids it of the stultifying economic and political institutions within which liberals have sought to contain it. Three main components of Unger's theory are analyzed: the idea of "negative capability," or the power of individuals to revise and transcend their social contexts; the idea of an "empowered democracy," which seeks to open up all aspects of society to the collective exercise of negative capability; and the idea of "immunity rights," which seek to protect individuals from the potential risks of radical democracy. I argue that all three underestimate the risks to individual liberty of the over-politicization of social life.*

Roberto Unger is sometimes included in lists of the "new communitarians," along with Michael Sandel, Alasdair MacIntyre, Charles

CRITICAL REVIEW, Spring 1994. ISSN 0891-3811. © 1994 Critical Review Foundation.

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Taylor, and Michael Walzer. Unger's 1975 book, *Knowledge and Politics*, foreshadowed many of the themes found in later communitarian writings, from the critique of liberalism's abstract individualism and subjective ethics to the endorsement of a "communitarian politics" based on "organic groups."[1] However, his more recent writings suggest that he would be uncomfortable with the communitarian label. He has replaced the language of "organic groups" with the language of "empowered democracy," and he now describes his theory as a form of "superliberalism" that rejects liberalism only in order to more fully realize its promise of individual emancipation. The change in Unger's views is interesting and instructive, and tells us much about the inherent limitations of communitarianism. I will try to show, however, that his recent work, like his earlier writings, fails to confront liberal worries about the over-politicization of social life.

From Communitarianism to Superliberalism

Knowledge and Politics was a paradigm of communitarian political theorizing. Like many other communitarian works, its ambition was to capture the essence of modernity (or "the Enlightenment project," in MacIntyre's phrase) in a small set of basic principles of individual rationality or agency, to reveal the flaws and contradictions in these principles, and then to offer a proposal for reorganizing moral or political life based on a more historically sensitive and community-promoting basis. Like most communitarian writings, it failed entirely in this ambition: the reduction of modernity to a small set of allegedly contradictory principles depends on ignoring or misrepresenting the theorists who are said to define the Enlightenment project (e.g., Hobbes, Locke, Kant, Mill), and the proposals for an alternative mode of politics are vitiated by a complete lack of concrete details. In Unger's case, liberalism was reduced to three psychological principles—the principles of reason and desire; the principle of arbitrary desire; and the principle of analysis—which in turn were said to rest on the deeper assumption of "an antinomy of fact and theory." Unger cheerfully admitted that no major liberal theorist has come close to an explicit endorsement of these premises, so he had to make various strained attempts to show that they are nonetheless present in an "unacknowledged and forgotten"

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form. But he ignored the fact that the same set of premises can be found in some of the most illiberal theorists in the ancient and modern worlds.[2] This sort of problem is the inevitable result of the communitarian attempt to understand liberalism in a purely ahistorical and apolitical way. In reality, what unites Locke, Kant, Smith, and Mill is their shared response to certain threats to personal liberty, not their views about epistemology, on which they disagreed fundamentally.[3]

In his more recent work, however, Unger's critique of liberalism has become more subtle. When *Knowledge and Politics* was reissued in 1984, Unger added a postscript saying that while his earlier analysis was not wrong, he would now focus less on liberalism as a seventeenth-century "speculative philosophy," and more on liberalism as a nineteenth-century theory of the "possible institutional definitions of markets and democracies."[4] His recent *Politics: A Work in Constructive Social Theory* (New York: Cambridge University Press, 1987; vol. 1, *Social Theory: Its Situation and Its Task, A Critical Introduction to "Politics"* will be cited as ST; vol. 2, *False Necessity: Anti-Necessitarian Social Theory in the Service of Radical Democracy, Part 1* of *Politics*, will be cited as FN; vol. 3, *Plasticity into Power: Comparative Historical Studies on the Institutional Conditions of Economic and Military Success, Explorations on Selected Themes of "Politics"* will be cited as PP), has shifted from abstract discussions of the relationship of reason and desire to more empirical and historical discussions about the way liberals came to define markets in terms of "consolidated property rights," and how they came to define democracy in terms of competition between a small number of entrenched political parties. And his objection to this institutional liberalism is not that it is philosophically incoherent, but rather that it betrays its own promise of individual liberation from constraining social structures. Liberalism promised to free the individual from the chains of social rank and dogmatic customs that pervaded feudalism, but its institutional forms continue to condemn people to the chains of "false necessity," closing options for greater individual mobility and innovation (FN 219, 296, 308; ST 6–7).

For example, the "consolidated property right"—the idea that ownership is, or ought to be, a unitary status carrying with it all possible rights, absolute in temporal duration and scope of use, concerning some portion of society's productive assets—was initially proposed by liberals as a guarantee of both individual security

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and economic decentralization (FN 21, 178, 196). But it is now a fetter both on individual freedom—reducing some individuals to dependence on those who own productive resources (FN 133), and on economic innovation—insulating oligarchic corporations from market instability (FN 69–70, 344; ST 59). Likewise, the idea of representative democracy as a competition between entrenched parties, and between countervailing branches of government, was initially defended as a way of protecting freedom from demagoguery (FN 21,209). But it has become an unnecessary restriction on democratic decisionmaking, and indeed has allowed the replacement of democracy by the rule of factions (FN 71–5, 345, 368–73, 499).

The net result of these nineteenth-century liberal ideas, Unger claims, is that we are caught in a "reform trap" (FN 44–49). While Western democracies fail to live up to even the most minimal interpretation of our ideals of democratic equality and equal opportunity, the structure of economic rights and party politics prevents genuine reform, both by restricting the mobilization of citizens behind a radical program, and by restricting the ability of sympathetic politicians to institute any such program. As a result, even "the most generous citizens" have come to believe that the outer limits of social reform are a mild version of social democracy, through which they "hope at best to avert military disasters and to achieve marginal redistributive goals while resigning themselves to established institutional arrangements" (ST 223, 14). But even this proves difficult to achieve, given the ability of large corporations and labor unions to obstruct reform through capital flight or inflationary demands, and so periods of mild reform alternate with periods of retrenchment (FN 5, 25–27, 46–49).[5]

In place of these liberal definitions of market and democracy, Unger offers what he calls a "radical" or "empowered" democracy in which property rights and political institutions are redefined so as to enable greater individual emancipation from social dependence and hierarchy, and to subject basic social practices to greater democratic control. The aim of these proposals is not to replace individual freedom with the claims of community, as some communitarians would have us do, nor to find a balance between them, but rather to more fully liberate the individual from the weight of predetermined social routines and expectations. Hence the term "superliberalism": Unger "wants to redeem liberalism through

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more liberalism" by disengaging "the liberal impulse from institutions and practices to which it has been committed" (FN 588, 595).[6]

The Contingency of Social Structures

This new theory, first enunciated in Unger's *The Critical Legal Studies Movement*,[7] has been developed in two directions in his most recent work, the *Politics* trilogy. One direction concerns the sort of explanatory social theory needed to identify the full range of social options available to people (the "explanatory" side of his book). The second concerns the kind of institutional reforms needed to realize more fully the liberal value of individual emancipation (the "programmatic" side).

The explanatory argument has a simple but valuable message:[8] much of social life, including some of its most formative or traditional practices, is "accidental, made-up, pasted together," the result of unpredictable coalitions, unforeseen consequences, and missed opportunities. And "if the triumph of certain institutions and ideas was relatively accidental, their replacement can also more easily be imagined as realistic" (ST 167). According to Unger, most social theory has suppressed the extent of this social "plasticity." One might expect conservative apologists for the status quo to be the main culprits in hiding this element of contingency under the mantle of a false social or technological necessity. And indeed Unger criticizes the way mainstream social theorists, the "positivists" and "naive historiographers," treat the basic structure of society as an unquestioned, seemingly natural, given (ST 130–35). But Unger is in fact most critical of left-wing social theory. While radical social theory is by definition committed to the possibility of revising social structures, it has been blinded by a commitment to "deep-logic" (or "deep-structure") theory (e.g., Marxism), which takes the basic structure of a given society as a unified totality (ST 90–93). This makes it appear that "no middle level exists between reformist tinkering which helps a set of basic institutional arrangements and social preconceptions to survive in the face of changing circumstances, and all-out revolution, which replaces an entire framework of social life" (ST 118). Both right and left, therefore, "drastically underestimate" the variety of ways in which the material and human resources of society can be recombined (PP 69–70).

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One result of this suppression of the contingent is "institutional fetishism," the tendency to equate abstract ideas like "markets" or "representative democracy" with the specific institutions that dominate existing Western societies (ST 200; cf. ST 129, 139). While it is plausible to say that economic progress requires a market, and that individual freedom requires democracy, there are many forms of markets and democracy (PP 126; ST 124). However, apologists for the status quo equate the existing forms of party competition and property rights with the very idea of representative democracy and market (ST 136; FN 175, 289, 381, 481), and leftists all too often take them at their word. As a result, leftists take flaws in existing institutions as flaws in these very ideals, which leads to "an unnecessary rejection of market principle" and a "futile quest for direct democracy and permanent civic engagement" (ST 160). In reality, the specific forms of economic and political organization that we have inherited are the result of compromises and accidents, not the working out of some inexorable logic (FN 80).

For example, there was no necessity to the decline of petty commodity production. The victory of large-scale and rigidly defined work organization in both industry and agriculture was the result, not of any clear advantage in technological efficiency, but rather of deliberate state policy to subsidize large industry and suppress small-scale producers (FN 180–87 on industry; 187–89 on agriculture). These policies were sometimes the result of class alliances, sometimes the by-product of military policy (FN 28–31, PP 139). Without them, large-scale, rigid modes of production might not have triumphed (FN 158–61).

The Quest for a Market-Oriented Egalitarianism

In defending the historical viability of petty commodity production, Unger is taking aim at the "mythical history," accepted by positivist and Marxist economists alike, that "retrospectively rationalizes the emergence of current formative contexts as the necessary expression of deep-seated economic, organizational, or psychological imperatives" (FN 174–75).[9] But this debate has more than historical interest to Unger. He thinks that the preservation and extension of petty commodity production, in a modified form, remains the most viable basis for progressive social reform (FN

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223–28; 342–47). It would involve breaking down large-scale rigid production into many small-scale flexible producers who operate through a mix of independent activity and cooperative organization. In order to maintain economies of scale, there must be state-assisted modes of combination, together with state-guaranteed access to social capital (through a "rotating capital fund"). This in turn requires that we reconceive (rather than reject) our ideas of markets and property rights, separating the scope of one's property rights from their duration, for example, or separating control of accumulation from control of use (FN 226, 344, 383, 502, 517).[10] Disaggregating property rights in this way will ensure greater equality while reducing the need for redistribution: "The need to correct transactions and redistribute their outcomes would greatly diminish because a much higher degree of equality (or of the prevention of permanent inequality) would be built into the defining rules of the market order" (FN 383; cf. FN 391, 434, 522). Social theorists on both the left and right have ignored the economic potential of petty commodity production because, blinded by institutional fetishism, they either see the existing form and distribution of property rights as inevitable, or assume that reform can only consist in transferring existing property rights from capitalists to some "new absolute and permanent right-holder" like the state (FN 441, 371).

Unger's interest in "rescuing" petty commodity production stands in contrast to the older left-wing commitment to either centralized planning (socialists) or the welfare state (liberal egalitarians). But in fact both socialists and liberal egalitarians are looking for new ways of institutionalizing their values. On the one hand, socialists have become increasingly disenchanted with the idea of centralized planning. There is a recognition that the market is essential not only to the promotion of efficiency and personal liberty but even to the most attractive account of distributive equality.[11] On the other hand, there is an increasing recognition by liberal egalitarians, like Rawls and Dworkin, that there are severe limits to the ability of the welfare state to remedy structural inequalities. The attempt to remedy these in-equalities by taxing and redistributing market income has failed, both because these programs are vulnerable to cutbacks in times of recession (when the poor are most in need of help) and because they leave untouched the worst aspects of the division of labor—that is, the relegation of some people to degrading work and servile obedience for the majority of

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their working lives. Both socialists and liberal egalitarians, therefore, are looking for a way to achieve equality through the market—by modifying the material and human resources people bring to the market, rather than by redistributing income after the fact.

Consider the parallel between Unger's petty commodity production and Rawls's idea of a "property-owning democracy," which has been contrasted to welfare-state capitalism in the following way:

> Welfare state capitalism (as commonly understood) accepts severe class inequality in the distribution of physical and human capital, and seeks to reduce the consequent disparities in market outcomes through redistributive tax and transfer programs. Property-owning democracy, by contrast, aims at sharply reduced inequality in the underlying distribution of property and wealth, and greater equality of opportunity to invest in human capital, so that the operation of the market generates smaller inequalities to begin with. Thus the two alternative regimes exemplify two alternative strategies for providing justice in political economy: Welfare-state capitalism accepts as given substantial inequality in the initial distribution of property and skill endowments, and then seeks to redistribute income ex post; property-owning democracy seeks greater equality in the ex ante distribution of property and skill endowments, with correspondingly less emphasis upon subsequent redistributive measures.[12]

There seems to be an important convergence here between Unger and Rawls. This convergence does not surprise Unger, who argues that liberals and radicals share the same "emancipatory goal," and that the "received contrast" between liberals and socialists is a "superstition" (FN 595; ST 6–7). Understanding the contingency of existing institutions would "encourage this unification by developing a social theory that frees liberal and leftist ideas of their institutional fetishism—their take-it-or-leave-it attitude toward the contemporary institutional and imaginative contexts of social life" (ST 209). Unfortunately, Unger makes no attempt to compare his theory to other recent proposals for market socialism or a property-owning democracy, and so the extent of this unification is difficult to determine.

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Negative Capability

While Unger's search for a market-oriented equality is to be welcomed, other aspects of his theory are more worrying. In particular, he ties his economic program to a dubious conception of "individual empowerment." The aim of his theory, he says, is the maximization of "negative capability," which he defines as "the practical and spiritual, individual and collective empowerment made possible by the disentrenchment of formative structure."[13] This capability involves the power to transcend our social context, to revise our social roles, to "trash" any pre-given social script, and to enlarge the range of enacted possibilities. Maximizing this capability, Unger says, offers us "a host of advantages," from economic innovation and military flexibility to increased knowledge and reduced social depersonalization (ST 198; cf. ST 155–56; FN 35–36; 279–94; 363–64). But the ultimate justification for maximizing negative capability is simply that it is "a good in itself"; it "can better do justice to a being whose most remarkable quality is precisely the power to overcome and revise, with time, every social or mental structure in which he moves."[14]

It is not enough, therefore, to eliminate social inequalities. The struggle against domination becomes "a fragment of a more inclusive and complex endeavor"—the pursuit of social plasticity—and so we must encourage the continual revision of even the most egalitarian system of social roles (FN 11; cf. 39, 253). Social structures are more contingent and revisable than social theorists recognize, but we should aim to make them even more revisable. This power to radically rewrite the social script is our greatest human power, and social structures should be judged primarily on how well they promote its exercise.

It should be immediately obvious how far Unger has moved away from other communitarians. According to Sandel and MacIntyre, the self should seek its moral bearings from, and define its deepest identity in terms of, its already given social roles. The good for me is simply the good for whoever occupies my roles.[15] For Unger, on the other hand, the self should be free to question even "his enduring core of identity," and to reject even "the canonical sets of social roles" (PP 12–13; FN 24; cf. FN 320–32, 524, 560–66). In this respect, he stands firmly with Rawls against his communitarian critics, for it was precisely Rawls's emphasis on our ability to stand

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apart from our current ends and roles that Sandel and MacIntyre objected to.[16] Inhabitants of the modern world are unavoidably aware of the multiplicity of ways of life available in society, and each person has the right, and indeed the responsibility, to judge the worth of the particular roles she currently finds herself in. Indeed, Unger demands not only that individuals be free to revise their social roles, but that we should create a society in which the very idea of a social role is weakened. This brings to mind Marx's famous description of communism as a world in which people paint without ever becoming "painters." Unger, like Marx, wants to eliminate the social roles that communitarians take as the necessary basis of personal identity and moral deliberation.[17]

While liberals share Unger's rejection of communitarianism, they may not accept his demand that negative capability should be maximized. For liberals, as for Unger, a valuable life is a freely chosen life. But what people freely choose need not be particularly adventuresome or revisionary. It is undesirable if people submit to routine and custom out of ignorance, bad faith, or legal coercion, but there is nothing wrong with people knowingly endorsing custom and routine in preference to more experimental lifestyles. This is perhaps clearest in the case of family life. Someone who makes twenty marriage choices is not leading a more valuable life than someone who has no reason to question or revise her original choice.[18] The capacity to revise one's way of life is a liberal value, but the ceaseless exercise of that capacity is not. As William Ewald puts it, "Just as a series of one-night stands does not add up to a worthwhile personal relationship, just as a series of part-time jobs does not add up to a worthwhile career, so a series of disruptions by the Bureau of Liquefaction does not add up to a worthwhile scheme of human association."[19]

It is important to distinguish two elements of negative capability that Unger views as inseparable—transparency and experimentation (e.g., FN 480–81, 581; but cf. FN 166,280). Transparency is an important liberal aspiration: authentic preferences are those that would survive knowledge about the social conditions under which they were formed, and about the alternatives.[20] But there is no ground for saying that it is better of social identities are continually subject to experimental revision. In fact, the commitment to constant experimentation is almost entirely limited to the "modernist elite" (as Unger seems to admit—FN 293). As various critics have

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pointed out, when Unger talks about "the tedious, degrading rhythm of history" (FN 1), or when he equates routines with "prisons" (ST 198), he shows "no delight in real communities of people," and indeed is "contemptuous of everyday life."[21] The suspicion that Unger has misjudged normal human aspirations is confirmed when he says that many of the qualities he admires in "a social world cracked open by transformative politics" are also found in a society at war (PP 160).

Empowered Democracy

Part of Unger's program will be attractive even if we adopt a more modest conception of empowerment. After all, the fact that people enjoy the routines of everyday life does not justify an economic system that condemns some people to servile dependence on others. But there is another problem. Unger slides too quickly from individual to collective empowerment, from individuals rejecting socially prescribed roles to collectivities defining new roles, from individual self-assertion to radical politics. Indeed, he often seems to simply equate the idea of "individual self-assertion" with the idea of "cracking society open to politics" (ST 48). The way to empower individuals, he says, is "by empowering democracy itself," so that every aspect of social life is subject to revision by the "constitution of permanent mobilization" (FN 362, 462). He does occasionally distinguish individual and collective empowerment, but only to then claim that the political pursuit of "social visions" simply "generalizes" the individual pursuit of "individual life projects" (FN 352, 291).

From a liberal point of view, this is the wrong way to conceive of individual autonomy. The basis of individual autonomy is not the freedom to participate in politics, since the rule of the majority may constrain individual freedom as much as the tyranny of custom or economic necessity. Rather autonomy requires freedom *from* politics—the protection of a zone of individual liberty from which the state is excluded. In Benjamin Constant's terminology, this is what distinguishes the liberty of the moderns from the liberty of the ancients.

Unger is aware of this liberal critique of empowered democracy. However, he rejects the classical liberal idea of protecting auton-

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omy through a system of rights that draw an inviolable boundary around the individual, for two reasons. First, rights to a zone of noninterference obscure and depoliticize the existence of privilege and inequality, and so perpetuate injustice (FN 71, 133). This is a legitimate worry. Where systematic injustices exist, attempts to protect people's legitimate claims to noninterference can help obscure their illegitimate domination over others. For liberals, the correct response is to eliminate the systematic injustices, not to abandon the idea of a legitimate realm of noninterference. For Unger, however, politics-insulating rights, even in an egalitarian society, are unacceptably privatistic. They reduce the idea of individual empowerment to "privatism" (FN 347, 544) and encourage the "surrender of our society-making powers" in favor of immersion in the "dazed narcoleptic quality of routinized social life" (ST 1; FN 510).

This critique of liberal privatism is also present in recent civic republicanism, which complains about the way individual liberty has become reduced to solitary adventures in self-gratification or, at best, to "lifestyle enclaves." For republicans, the exercise of genuine individual autonomy is above all a collective enterprise, involving the "essentially political activities of discussion, criticism, example, and emulation."[22] Indeed Unger implies that private liberty is no liberty at all, for

> private enjoyments that remain unconnected to a broader solidarity or to a collective historical project soon take on the quality of a desperate and obsessional narcissism. Because they offer the individual no sense of participation in something greater and more lasting than himself, they belittle him in his own eyes. . . . The illusions of endless gratification and casual intimacy then become less a voluntary choice than an almost irresistible imaginative compulsion. (FN 545, 568).

Freeing the individual from political interference turns out to be a form of compulsion.

Given this dependence of individual autonomy on collective deliberation and action, the politicization of social life, far from reducing individual autonomy, would strengthen it. Indeed, Unger says that Constant's whole contrast between modern and ancient liberty is a "sham." Unger's aim is

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> to break the stranglehold of a false antithesis that has dominated political thought since the late eighteenth century. . . . In a typical and famous version of the contrast, Benjamin Constant distinguished the ancient from the modern republics. In the ancient republics, the entire citizenry had an active experience of self-rule, devotion to the common good, and life on the historical stage, but correspondingly few opportunities for private enjoyment or the development of subjectivity. In the modern republics, subjectivity and enjoyment flourished, though at the cost of the shrinking of the public space. The opposition between the two forms of government is false, not because it can be easily resolved, but because it is a sham. The picture presented in contrast with the existing democracies, whether or not made to describe any real society of the past, is simply their inverted self-image, the receptacle of everything that seems missing in contemporary social life, and a confession of practical and imaginative failure. Precisely because the idealized communal republic cannot emerge from present political arrangements as the outcome of any plausible sequence of political reforms and conceptual adjustments, it confirms the power of the established order in the very act of pretending to deny it.[23]

This is a striking example of one of Unger's preferred modes of argument—rather than answer a critic's worry, Unger denies the intelligibility of the worry. But there are genuine dangers here.

Consider, for example, the separation of church and state in liberal societies. According to John Rawls, the belief that religion should be taken off the political agenda and left to individual conscience is the formative liberal commitment, from which all other civil liberties gradually evolved.[24] But this is a significant restriction on the scope of an empowered democracy. Religion has proven to be an effective source of mobilization, and why shouldn't the collective desire to govern the state according to a Christian or Islamic "social vision" count as a legitimate instance of the exercise of negative capability? Unger never directly answers this question, but there are hints that he is indeed prepared to contemplate the politicizing of religion. For example, one of the few concrete instances he gives of the exercise of "cracking society open to politics" is the Cultural Revolution in China. While Unger criticizes the Revolution as a failure, there is no suggestion that it was wrong for the Red Guards to burn down Buddhist temples. On the contrary, his criticism of the Cultural Revolution is that it

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was "half-hearted" (!) in its attempt to transcend the entrenched routines and institutions of Chinese life (FN 242).[25]

In another passage, Unger suggests that the liberal worry over religious fundamentalism is mistaken because religious movements can only gain power if they descend from the abstractions of doctrine to the details of policy, and this shift provides the basis for compromise and agreement. The processes of radical democracy turn aspiring theocrats into constructive pragmatists (FN 465–67). The victims of religious intolerance in Iran are not likely to share Unger's optimism.[26] But even if the optimism is warranted, we still might think that individual autonomy would have a more secure home in a liberal state that removes religion from the political agenda. For one thing, Unger underestimates the extent to which the risks involved in politicizing society fall unequally on the shoulders of the weak and inarticulate. He repeatedly says that cracking society open to politics is needed to prevent hierarchies of power and privilege from forming, for "the entrenchment of practices and arrangements that cannot easily be challenged and altered usually goes hand in hand with the development of structures of dependence and domination" (FN 514; cf. PP 2, 72, 87; FN 10, 59, 164, 278ß79, 306ß7, 484, 530ß32). But he never considers the possibility that the development of structures of equality and reciprocity may also require some entrenchment and insulation from politics. The fact is that some people are better able to master the process of cracking open society than others, and can parlay this mastery into privilege. As Unger himself notes, "Every additional opportunity to deliberate, to mobilize, and to experiment can be turned, under the pressure of privatistic self-concern, into an opportunity for the more ingenious, the more resolute, and the more persuasive to change temporary advantages into permanent privileges" (ST 213). Unfortunately, he never returns to this insight, and instead writes as if "all are equalized" by a truly transformative politics, since it undermines all sources of existing privileges (FN 422–23).[27]

However we assess these risks, the point is that there is a real choice between treating religion as a public or private matter, between maximizing collective empowerment to implement social visions and the protection of individual autonomy in matters of private enjoyment. The same potential conflicts arise in the areas of ethnicity, sexuality, etc. The contrast between ancient and modern liberty is no "sham."

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From Superliberalism back to Liberalism

The extent to which Unger actually wishes to crack society open to politics is unclear. He says that his theory reconceives, rather than rejects, the need for guarantees of individual autonomy. In addition to protecting the political rights that are constitutive of radical democracy itself (e.g., political speech and association—FN 374, 525–28), he also endorses "immunity rights" to a basic minimum, such as "provision for nourishment, housing, health care, and education" (FN 528; cf. FN 133–34, 528–30). These rights, Unger argues, would "secure people in an inviolable independence" while "minimizing rigidifying implications of individual security upon the surrounding social order" (FN 134, 424; cf. 30, 515, 530). But despite Unger's grand assurance that "the basic security of the individual is guaranteed and even strengthened in a mobilization democracy" (FN 464), none of this rules out the burning of Buddhist temples, or, for that matter, the displacement of the Yanomamo from the Amazon and their placement under the tutelage of the welfare state.

Indeed Unger seems to accept that despite the "inviolable independence" of its citizens, the decisions of an empowered democracy may well form an assault on people's basic identity:

> The interests to be protected by such entitlements may not always be identical to the ones people may themselves define as crucial to their security. . . . People have always put their sense of basic security in the maintenance of particular social roles, jobs, and ways of life. Any attempt to indulge this conception of security would prove incompatible with the institutions of the empowered democracy and with the personal and social ideals that inspire them. The case for the reformed constitution draws heavily on the argument that people can and should wean themselves away from a restrictive view of where they should place their sense of protection. (FN 524)

People may desire security in the pursuit of some private aim or identity, but "they and, if not they, their children will discover that the security that matters does not require the maintenance of a narrowly defined mode of life." Once they "awaken to a conception of personality as . . . strengthened through context smashing," they will recognize that negative capability "counts more than any particular causal influence or affirmative commitment" (FN 514–15; ST 198; cf. ST 214).[28] Within radical democracy, private rights are not

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designed to "insulate any major area of social life against institutionalized challenge and experimental revision," no matter how "sacred" (PP 86, 101).

In other places, however, Unger gives a more expansive account of individual guarantees of security. The citizen of an empowered democracy, he says, is "able to accept an expanded range of conflict and revision without feeling that it threatens intolerably his most vital material and spiritual interests. . . . He knows that, whatever happens, he will not be abandoned, humbled, or oppressed" (FN 579). Moreover, Unger emphasizes the value of the "self-organization of society outside government" (FN 476), and recognizes a qualified right to "opt out of the norms established by higher authorities" (FN 475), in order to protect against the danger that governments "may exclude too much random or dissident variation" (FN 505). And in a passage that could have come from Rawls's description of liberal society as a "social union of social unions,"[29] Unger says that his idea of collective participation aims

> to extend the scope and the clarity of private ambitions by enlarging our sense of the possible forms of association through which they may be realized and redefined. In this way, it seeks to superimpose upon the delights of private enjoyments the pleasures—neither private nor public—of creating, within society, distinctive but shared forms of life that permit shared but distinctive activities. (FN 588)

But now how does this version of empowered democracy, emphasizing expansive rights to free association in civil society immune from political interference, differ from liberal democracy? Liberals agree with Unger that "social progress is more likely to occur where there is free criticism of prevailing ways of life and adventurous experiments in living."[30] The question is whether the proper arena for this criticism and experimentation is the free associations of civil society or the political forums of an empowered democracy. And it is simply unclear, 1100 pages later, where Unger stands on this question. Indeed, it often seems that he himself hasn't yet decided how individual and collective empowerment should be related: "It is up to us to discover in our historical situation which conditions of each variety of empowerment also satisfy the other varieties" (FN 363). We must "search" for ways to empower democracy without sacrificing individual life plans (FN 303, 291, 528).

This of course is the same question that liberal democratic politi-

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cal theorists have been asking for centuries. It is difficult to tell whether Unger's talk about "social plasticity" and "negative capacity" is a new and bold answer to that question, or simply another way of asking it. Taken to its extreme, the "imperative of plasticity" offers a radical, and radically inhuman, plan for the constant political redefinition of social life. Read more modestly, the quest to combine individual security with an opening up of pre-existing social hierarchies and customs to criticism and experimentation offers an attractive if vague redescription of standard liberal aspirations. As Ewald puts it, "What is attractive in Unger's theory—the idea of self-development and of the individual's power to create new roles—seems to me already well catered for in traditional liberalism, and with far greater psychological underpinnings—in Mill, say, or von Humboldt, or in the final third of *A Theory of Justice*."[31] Unger may be right that institutional fetishism has kept liberals from imagining ways to more fully reconcile individual and collective empowerment. But if so, *Politics* does not help dispel the illusion.

NOTES

1. Roberto Mangabeira Unger, *Knowledge and Politics* (New York: Free Press, 1976, reissued in 1984 with postscript).
2. For the reduction of liberalism to three psychological premises, see *Knowledge and Politics*, 38–49. For the admission that no liberal fits the definition, see ibid., 3, 8. For a devastating critique of Unger's account of liberalism, see William Ewald, "Unger's Philosophy: A Critical Legal Study." *Yale Law Journal* 97, no. 5 (April 1988): 665–756. Ewald shows just how little Unger's "liberalism" corresponds to the historical movement we know under that name, and how many of the ideas he ascribes to liberals can be found in preliberal thought.
3. Stephen Holmes argues that this sort of apolitical definition of liberalism underlies almost all communitarian writing; see his "The Permanent Structure of Antiliberal Thought," in Nancy Rosenblum, ed., *Liberalism and the Moral Life* (Cambridge, Mass.: Harvard University Press, 1989).
4. Unger, *Knowledge and Politics*, 339–40; cf. FN 20.
5. For a similar diagnosis of the state of contemporary liberalism, showing how liberal theorists alternate between reformism and retrenchment, see William Connolly, "The Dilemma of Legitimacy," in William Connolly, ed., *Legitimacy and the State* (Oxford: Blackwell, 1982), Cf. FN 376.
6. Unger's endorsement of liberal ideals is part of a more general recognition by the left that "there simply is no intellectually acceptable, morally pref-

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erable, and practically realizable left social vision and program that does not take liberalism as a starting point in order to rethink, revise and reform it in a creative manner." Cornel West, "CLS and a Liberal Critic," *Yale Law Journal* 97, no. 5 (1988): 769. See also G. A. Cohen, "Marxism and Contemporary Political Philosophy," *Canadian Journal of Philosophy* 20, no. 3 (1990); and the essays in Joseph Carens, ed., *Democracy and Possessive Individualism: The Intellectual Legacy of C. B. Macpherson* (Albany: State University of New York Press, 1993).

7. Roberto Mangabeira Unger, *The Critical Legal Studies Movement* (Cambridge, Mass.: Harvard University Press, 1986). For those who find the idea of reading the three volumes of *Politics* too daunting, this slender book provides a concise introduction to Unger's major themes and proposals.
8. Unfortunately, this simple message gets presented in a repetitive and convoluted way. The examples given to defend the thesis of plasticity, ranging from the organization of military units in the Ottoman empire to the development of tax-farming in Ming dynasty China, are too numerous and detailed for the general reader, yet too "interpreted" for those who have a specific interest in the issues (FN 342; Unger cites the relevant literature in lengthy bibliographical notes, but never engages with it in the text, and so provides no help in situating his claims within the broader literature). Moreover, the same introductions, conclusions and summaries are endlessly repeated over the three volumes. And, as Unger notes, the target is a bit of a straw man (FN 597). The actual research done by most social theorists, Marxist and mainstream, displays a keener sense of the plasticity of social life than their theories officially permit. Most social theorists realize that the routines of social life are often the product of accidental and contingent conditions, even if this combination of contingency and structure is an embarrassment to their professed theoretical commitments.
9. For the classical liberal version of this "mythical history," Unger cites D. C. North and R. P. Thomas, *The Rise of the Western World: A New Economic History* (Cambridge: Cambridge University Press, 1978). For the Marxist version, Maurice Dobb, *Studies in the Development of Capitalism* (New York: International Publishers, 1978). Unger particularly objects to the idea, found in both versions, that English history (or a stereotype of it) provides "the exemplary route" to modern wealth and power, such that "deviations from the English prototype are thought to require special explanations" (FN 175).
10. For a seminal attempt to disaggregate the rights and powers that have become collected together in the modern idea of "property rights," see A. M. Honore, "Ownership," in A. G. Guest, ed., *Oxford Essays in Jurisprudence* (Oxford: Oxford University Press, 1961). See also Honore's critique of Nozick's failure to consider the possibility of disaggregating these rights in "Property, Title and Redistribution," in L. Becker and K. Kipnis,

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eds., *Property: Cases, Concepts, Critiques* (Englewood Cliffs, N.J.: Prentice-Hall, 1984). Unger's best discussion of this issue is his critique of contract doctrine in *The Critical Legal Studies Movement*. In that discussion he argues that the very idea of freedom of contract contains within it various exceptions regarding the relative bargaining power of the contracting parties, their implicit trust, their available information, etc., and that these "deviations" can be developed into a wide range of different property regimes, all consistent with the general idea of freedom of contract.

11. For the claim that the market is essential to both the definition and implementation of equality of resources, see Ronald Dworkin, "What is Equality? Part 2: Equality of Resources," *Philosophy and Public Affairs* 11, no. 4 (1981). For a recent attempt to extricate socialism from its disastrous hostility to markets, see David Miller, *Market, State, and Community: Theoretical Foundations of Market Socialism* (Oxford: Oxford University Press, 1989).
12. Richard Krouse and Michael McPherson, "Capitalism, 'Property-Owning Democracy,' and the Welfare State," in Amy Gutmann, ed., *Democracy and the Welfare State* (Princeton: Princeton University Press, 1988), 84; cf. John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1971), 274.
13. Unger, *Critical Legal Studies*, 93.
14. Ibid., 23, 26. Cf. FN 597; ST 29. To surrender these society-making powers, Unger claims, would require an act of "bad faith," a superstitious acceptance of false necessity (ST 205; 212; FN 291, 586). Amongst the more tangible advantages of negative capability, Unger is particularly keen to emphasize the gains in productivity that can arise from the "pitiless recombination" of material and human resources that social plasticity allows (PP 208). Perhaps he emphasizes this as a way of turning the tables on those who think that petty commodity production leads to economic stagnation. But in an age concerned with "sustainable development," Unger's preoccupation with untrammeled economic growth seems out of date.
15. Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), 150–65; Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981), ch. 15.
16. See, e.g., John Rawls, "Kantian Constructivism and Moral Theory," *Journal of Philosophy* 77, no. 9 (1980): 544–45. I discuss the communitarian critique, and defend Rawls against it, in "Liberalism and Communitarianism," *Canadian Journal of Philosophy* 18, no. 2 (1988): 181–203, and *Liberalism, Community and Culture* (Oxford University Press, 1989), chs. 2–5.
17. Karl Marx and Friedrich Engels, *The German Ideology* (London: Lawrence and Wishart, 1970), 53–54. Unger also rejects two other features of contemporary communitarian thought—the idea that political philosophy can only consist in interpreting the "shared meanings" of our culture (FN 355–68), and the idea that ties of sentiment are enough to protect the weak against the strong, eliminating the need for "alienating" ideas of justice or rights (FN 24, 384–89, 519). As Unger notes, the attempt to soften inequal-

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ity through sentiment means that any struggle against domination will be seen as a "betrayal of present communal bonds."

18. Unger says that he hopes to liberate our imagination from the tendency to view society solely in terms of three restrictive and "mutually repellent" models of social life—intimate family, techno-bureaucratic economy, and representative polity (ST 3; FN 356). But he says nothing about how his empowered democracy would reform the family (perhaps because it is most obvious here that Unger's hyperautonomy is out of line with normal human aspirations). In fact, Unger seems to presuppose the continued existence of more or less permanent families (e.g., "people do not thrive outside families," PP 17; cf. Unger, *Passion: An Essay on Personality* [New York: Free Press, 1984], 267). He also defends a set of "solidarity rights" that would limit individual freedom in order to protect those (such as family members) who have some relationship of trust or reliance on the individual (FN 518, 535–38). On the other hand, he says that these rights, which are clearly incompatible with the idea of maximizing negative capability, might not be legally enforceable (FN 538–39). And while Unger appeals to the value of love, it is not for the same reason most people value it: "For Unger the significance of love lies rather in the opportunity it presents for breaking out of the shell of character through the exposing of one's vulnerabilities, the jumbling of one's routines and the creation of surprise, the pushing of oneself into situations which shake up one's relations to others. One might say that what interests Unger about love is the qualities it shares with Homeric warfare. . . . On this ground hatred should also be valued to the extent that it is transformative, and a more intensely transformative hate should be accorded normative priority over a soothing and calming love." Ernest Weinrib, "Enduring Passion," *Yale Law Journal* 94, no. 4 (1985): 1835–36. For a critique of Unger's discussion of the family, see Susan Okin, *Justice, Gender, and the Family* (New York: Basic Books, 1989), 117–24.
19. Ewald, "Unger's Philosophy," 738.
20. For the role of transparency in liberal thought, see Jeremy Waldron, "Theoretical Foundations of Liberalism," *Philosophical Quarterly* 37, no. 147 (1987): 134–35, 146–50. But see John Gray, *Liberalism* (Minneapolis: University of Minnesota Press, 1986), ch. 9, who argues that the quest for transparency is evidence of a "hubristic rationalism" that liberals should abandon.
21. Milner Ball, "The City of Unger," *Northwestern University Law Review* 81, no. 4 (1987): 657; William Galston, "False Universality: Infinite Personality and Finite Existence in Unger's *Politics*," in Robin Lovin and Michael Perry, eds., *Critique and Construction: A Symposium on Roberto Unger's "Politics"* (New York: Cambridge University Press, 1990), 17; Robert Burns, "When the Owl of Minerva Takes Flight at Dawn," ibid., 148. For further evidence of this contempt, see Unger's account of our "vast spiritual sloth" in *Passion*, 73.
22. For the critique of "lifestyle enclaves," see Robert Bellah et al., *Habits of the*

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Heart: Individualism and Commitment in American Life (Berkeley: University of California Press, 1985). For the idea that individual autonomy presupposes "essentially political" activities, see Brian Lee Crowley, *The Self, the Individual, and the Community* (Oxford: Oxford University Press, 1987), 282; William Sullivan, *Reconstructing Public Philosophy* (Berkeley: University of California Press, 1982), 158, 173; Ronald Beiner, *Political Judgement* (London: Methuen, 1982), 152. Unger differs from these writers in denying that the aim of collective mobilization is to generate "devotion to a shared vision of the common good," a prospect he describes as "fantasizing, sentimental, archaic and tyrannical" (FN 471), entailing an unnecessary restriction on personal enjoyments and economic innovation (FN 586–88). But he shares their view that individual autonomy requires, rather than suffers from, the politicization of civil society.

23. Unger, *Critical Legal Studies*, 41.
24. John Rawls, "Justice as Fairness: Political not Metaphysical," *Philosophy and Public Affairs* 16, no. 3 (1985): 249.
25. Unger's discussion of the Cultural Revolution is distressing in a number of ways, quite apart from its downplaying of the brutality involved. He summarizes his account by saying that "you do not have to believe that anyone in the Cultural Revolution—elite or masses—was close to coming up with workable alternatives, or even that such plans as they might have found would have represented a change for the better. The point is that no alternatives were really put to the test and that the collective process of searching for them was paralyzed from the start" (FN 245). But if there is little likelihood that change will be for the better, why *shouldn't* we paralyze attempts to violently uproot people's routines?
26. Unger's argument, here and elsewhere, rests on a false contrast between "mobilization dictatorships," which employ coercion to promote social change, and "mobilization democracies" which promote change consensually (e.g. FN 168–69, 286–87, 292, 303, 401). For Unger, either the state works with society (democracy) or against it (dictatorship). This simply ignores the danger to minorities of majority rule. A theocracy that suppresses religious dissidents can be a fully functional democracy. Parenthetically, the example of religious liberty refutes the standard antiliberal claim that rights to noninterference are atomistic, privatistic, selfish, etc. Liberal rights protect communal and spiritual interests as much as solitary or self-defensive interests.
27. See also Unger's claim that his idea of "destabilization rights" serves the purpose of the existing right to "equal protection" (*Critical Legal Studies*, 52–56). I discuss the way certain groups are likely to be disadvantaged by an increased politicization of social life in "Liberal Individualism and Liberal Neutrality," *Ethics* 99, no. 4 (1989): 883–905. See also John Dunn's critique of Unger's "assessment of the pleasures of a society and polity made safe for the more loquacious amongst the petty bourgeosie" ("Un-

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ger's *Politics* and the Appraisal of Political Possibility," in *Critique and Construction*, 79).

28. At times, Unger's defense of politicizing society is not that it is an intrinsic good, but rather that it is an unavoidable evil in a hostile world. Increased plasticity may fly in the face of human desire, but "a people that wants to exempt even a small and sacred part of its customs from this self-transformation requirement discovers, sooner or later, that it enjoys no such exemption and that every attempt to secure one is fatal" (PP 101). This is the major theme of *Plasticity into Power*—i.e., that the "imperative of plasticity" arises from the need for "pitiless recombination" in the pursuit of military and economic advantage. It is "plasticity or death" (PP 208, 162). As a result, "Formative contexts permitting a relatively higher level of negative capability may have, for this reason alone, a better chance to survive in the economic, military and ideological competition with their rivals" (FN 297). Hence the "perennial desire" to "deny or contain the political character of social life," to "retreat from the violent confrontations of history into a stable life of practical concerns and communal engagement," is unstable: "An approach to voluntary association that draws its strength from mere opposition to the state cannot be secure—for it lives under threat from rulers at home and powers abroad" (FN 586, 505). This sounds like the left version of Cold War rhetoric, and seems equally unjustified.
29. See, e.g., Rawls, *A Theory of Justice*, 543.
30. Joel Feinberg, *Social Philosophy* (Englewood Cliffs, N.J.: Prentice-Hall, 1973), 22.
31. Ewald, 373–38. At one point, Unger seems to concede the possibility that individual empowerment might be "well served" in liberal egalitarian institutions (which he calls "polyarchy"), so long as these relatively depoliticized institutions can still keep hierarchies in check (PP 87–88). However, it is difficult to know what to make of this concession. It occurs in a "digression" within a chapter on "The Periodic Breakdown of Governments and Economies in Agrarian-Bureaucratic Societies" in *Plasticity into Power*, far from the programmatic arguments of *False Necessity*, and it seems to conflict with Unger's usual claim that liberalism's commitment to a sharp distinction between state and a depoliticized civil society rests on both privatism and illusion (ST 36–37; FN 509–591).

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John Tomasi

COMMUNITY IN THE MINIMAL STATE[1]

If communitarian political philosophers such as Michael Sandel are right about the importance of genuine community commitment, then it is the liberal minimal state, rather than the more expansive state implied both by communitarianism and by Rawlsian welfare liberalism, that should be preferred. It is contended that Sandel's antiliberal arguments, while inadequate as a criticism of Rawls's particular formulation of liberalism, nonetheless contain an important challenge to rights-based political theories generally. However, by considering the various senses in which individual rights can be said to draw lines between persons, it is shown how the classical liberal might meet Sandel's challenge.

Much of the work of communitarian critics of liberalism is premised on the assumption that ideals of community and of individual autonomy are deeply antagonistic.[2] While communitarian theorists often succeed more in reassuring readers of the importance of community experience than in demonstrating the depths of that antagonism, one antiliberal communitarian tenet can be stated quite plainly: liberalism, including modern welfare-state liberalism, is overly individualistic and thus fails to take account of the important role of community experience in human flourishing.

Michael Sandel is perhaps the most eloquent and widely read

CRITICAL REVIEW, Spring 1994. ISSN 0891–3811. © 1994 Critical Review Foundation.

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exponent of the communitarian complaint that liberalism, with its emphasis on individual rights, is biased towards an individualism of a sort that is destructive of community. Liberalism, understood broadly as the political doctrine that the proper role of state activity is the protection of individual rights,[3] takes as its building blocks discrete, individual persons. The goals and life-projects of these persons are in every case goals and life-projects of some individual person and are thus often in conflict with the goals and projects chosen by other persons. From such individualistic premises, an individualistic political view such as liberalism springs naturally. By criticizing the central liberal doctrine of the primacy of justice as developed by such theorists as John Rawls, Sandel means to show that liberalism, as a political theory that is based on powerful individual rights, is appropriate only where people are in fact fragmented from each other, where individuals do see their goals as their own goals and as such as being in conflict (actual or potential) with the goals of other people. Thus in *Liberalism and the Limits of Justice*, Sandel means to post tight boundaries around the kinds of social circumstances in which justice can be shown to be an important virtue.[4] However, as we shall see, liberalism can cut Sandel's fence lines and cause no harm: liberal individual rights and communitarian civic virtues are far more compatible than Sandel would have us believe.

While I am no more interested in defending Rawls than in attacking Sandel, much of my essay will proceed by taking Sandel and Rawls as representatives of "communitarianism" and "liberalism," respectively. However, I do this only as the most convenient way to get to the project that most interests me here: to show why community might be expected to flourish in the more classical liberal minimal state.

Sandel's Attack on Rawls

In *Liberalism and the Limits of Justice*, Sandel says at the outset that the limits he has in mind regarding the applicability of the notion of justice, and thus the limits he wishes to mark around liberalism, are not practical but conceptual. He writes, "My point is not that justice, however noble in principle, is unlikely ever fully to be realized in practice, but rather that the limits reside in the ideal

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itself."[5] The conceptual rock Sandel sees Rawls foundering on is Rawls's need for a deontology "with a Humean face."[6] According to Sandel, Rawls's project requires that he somehow find a way to situate a Kantian self—a self independent in a transcendental sense—on an empirical foundation. There is thus a tension within Rawls's description of the self between dangers of arbitrariness because of transcendental groundlessness and arbitrariness from mere contingency. This same tension pulls on the "Archimedean point"—the detached yet relevant standard by which the basic structure of society is to be assessed. If "the principles of justice are derived from the values or conceptions of the good current in the society," they will be too tied to contingent reality. But "the alternative would seem to be reliance on a priori assumptions whose credentials would appear equally suspect," because too far from it.

Some of Sandel's most significant critical arguments emerge from his disagreement with the Rawlsian claim—as Sandel understands it—that the categorical primacy of justice can be grounded empirically. Sandel attempts to give an argument that is conceptual, not merely practical, in support of his objection that justice is but a conditional virtue of social institutions. How does Sandel see justice as merely "a remedial virtue?"

Sandel focuses much of his critical attention on Rawls's well-known claim that "justice is the first virtue of social institutions, as truth is of systems of thought. . . . Being first virtues of human activities, truth and justice are uncompromising."[7] If the primacy of justice is to be categorical, as Sandel points out, Rawls would need his empirical preconditions to be as bleached and universal as possible. To the degree those preconditions are colored with particular conditions obtaining within certain kinds of societies, justice is removed from its transcendental primacy. The empirical component of Rawls's "revisionist deontology" is ineliminable. Yet how can contingent circumstances dependably support a deontological priority for the right? Sandel writes, "To establish the primacy of justice in the categorical sense Rawls's claim requires, he would have to show not only that the circumstances of justice prevail in all societies, but that they prevail to such an extent that the virtue of justice is always more fully or extensively engaged than any other virtue."[8] But in fact, Sandel argues, such empirical evidence does not exist. Justice is the first virtue only of societies of a particular hue.

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What kinds of societies does Sandel identify as having the empirical quality of making justice the primary virtue? Only those in which the greatest social need is resolution of conflicting rights-claims. Thus Rawls's thesis about the primacy of justice fails when applied to smaller societies or groupings of people in which members share common aims and for whom the pursuit of those goals is more compelling than resolution of intra-group conflict. Against Rawls, Sandel claims that "justice is the first virtue of social institutions not absolutely, as truth is to theories, but only conditionally, as physical courage is to a war zone."[9]

Justice is a remedial virtue: "The virtue of justice is measured by the morally diminished conditions which are its prerequisite."[10] The higher the priority of justice, the greater the moral shortcoming of the community. In more praiseworthy communities, communities with "a sufficient measure of benevolence or fraternity," Sandel claims that the virtue of justice would seldom be engaged. In such societies, where personal and civic attachments prevail, the circumstances of justice will rarely obtain. Justice will yield its priority to communal concerns.[11]

However, Sandel's objections are *not* in fact objections to the place *Rawls* finds for justice; Rawls does not claim that the primacy of justice is a primacy relevant to small, harmonious groups. Rawls writes that

> for us the primary subject of justice is the basic structure of society, or more exactly, the way in which the major institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation. By major institutions I understand the political constitution and the principal economic and social arrangements.[12]

Sandel also seems to be mistaken about the conceptual character of Rawls's claim.[13] Sandel's central criticism is that Rawls needs what he cannot possibly obtain—a deontology grounded empirically—in order to support a categorical claim about the primacy of justice in social groupings. But Rawls's claim is merely that justice is the first virtue of states or governments that are in the circumstances of justice—circumstances that obtain whenever mutually disinterested parties make conflicting claims for the division of limited resources.[14] The tap-root empirical precondition of Rawls's theory is only that certain primary goods—such as rights—

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will in fact be valued in the circumstances of justice. Although this is an empirical claim, given Rawls's formulation of the circumstances of justice it seems no more daring than H. L. A. Hart's claim that all adequate legal systems must include prohibitions on violence since, empirically, humans lack carapaces and blunt crustacean claws.[15] Rawls's thesis is meant to be neither universal in scope nor "categorical" in nature, since he does not deny that there might be even a very large society (a nation-state) which would be beyond the circumstances of justice. Despite its great practical unlikelihood, such a society remains at least logically possible, and nothing prevents Rawls from saying that in it justice would not be the first virtue.

Sandel's arguments are unconvincing if taken as substantive criticisms of the version of liberalism Rawls advances in *A Theory of Justice*. However, within Sandel's work there is an insight that is particularly important to those interested in classical versions of liberalism.

Sandel's Insight

Richard Lewontin has observed that every powerful and expansive theory of the world carries within itself its own caricature.[16] Thus Freudian psychoanalysis finds its caricature in the dubious attempt to explain each instance of overt behavior in terms of unconscious causes; Marxist historical materialism, in the explanation of every historical event in terms of economic forces; Darwinism, in the attribution of every physical, mental, emotional, and even sociological trait to natural selection. Popular caricatures such as these are distorted shadows of true theories. Still, such shadows can be seductive because they are cast by the legitimate theories themselves.

Liberalism is an expansive and powerful normative theory. As with a descriptive theory such as Darwinism, so too we can recognize the self-parody liberalism carries within itself. Despite its failings, there is something Sandel's project has attacked which, though not true liberalism, seems nonetheless to be uncomfortably connected with it—and connected with it in its classical form in a way that is particularly disquieting. Perhaps it is the appeal of that something, the caricature of liberalism, that explains the recent

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enthusiasm among social philosophers for communitarian anti-liberal arguments. The caricature of liberalism is a society much like the one many citizens of modern liberal nation-states fear their countries are fast becoming. During the past decade, many Western democracies have seen movements ostensibly directed toward smaller government gain political power, or at least voice. Leftists in such countries have regarded these pro-individualist movements with fear and even despair: for implicit in tendencies toward voluntarism and an increased role for private property they see threats to the promises of solidarity and mutual support which have always given schemes of political centralization much of their appeal.[17] In the caricature of this individualistic liberalism, individuals are encouraged to assert their rights aggressively against one another and to view their neighbors as enemies who are themselves searching for opportunities to assert their own right-claims in turn. In such a legalistic society, interpersonal relations are intrinsically adversarial rather than communitarian. According to the caricature, the only role for the liberal government is to serve as a stone-faced referee between adversaries who in some different, more gentle setting might have been genuine friends and caring neighbors.

I have suggested that because of his flawed interpretation of Rawls, Sandel's arguments are largely unconvincing if taken as criticisms of Rawls's particular formulation of liberalism. However, although aimed at Rawlsian liberalism, Sandel's criticisms have perhaps hit instead one currently popular caricature of more classical liberalism. In so doing, Sandel's anti-Rawlsian arguments helpfully pick out an important insight contained within antiliberal and anti-private property arguments generally. This insight is that individualistic, rights-based political doctrines like liberalism—especially classical liberalism—must bear the burden of showing how they leave room for the flourishing of genuine interpersonal commitment. If a political doctrine does not make the value of community part of its theoretical structure, then supporters of that doctrine must show how communities might arise and flourish within societies governed by that doctrine nonetheless. On the classical liberal—who supports a political structure that is especially bare—this burden weighs heavily indeed.[18]

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A Liberal Reply

The liberal, however, is not altogether without means by which to shoulder this burden. Sandel, and the other communitarians, have failed to appreciate the full complexities and range of possibilities of liberal rights. Contemporary communitarian thinking has followed earlier antiliberal thinking—such as that of Marxism—in conceiving of individual rights in general, and property rights in particular, as being essentially notions of interpersonal conflict. There is some good reason for conceiving of rights this way. Individual rights *do* mark lines that separate people (and their properties and spheres of action-inviolability) from one another (and from one another's properties, etc.). In this sense, individual rights *are* like shields, and thus also have some of the qualities of walls of any sort: while serving to protect right-holders, the rights can also hinder right-holders in reaching out to each other. This is so because rights *do* betoken conflict—potential even when not actual—and an awareness that one person holds a right-claim that may be asserted against the other person carries with it an implicit reminder that there is no strict (conceptual) identity between the interests of these two people.

Within a liberal society, two persons—however intimately connected they may be—are always understandable as (or through judicial machinery can be reduced, however roughly, into) separate parties with separate interests. When I say that liberalism implies that the interests of two intimately connected persons are reducible to the interests of two separate persons with separate interests, I do not mean that liberals think that this reduction can always be effected with no remainder, no loss. Liberals can agree with communitarians that the disintegration of an intimate interpersonal commitment is a tragedy that involves irrevocable loss. But while I shall not pursue this point here, one might even argue that liberalism has a deeper appreciation of these sorts of tragedies than does much communitarian thinking, since liberalism more clearly recognizes that human interests sometimes diverge through no fault of either party. This fact—that even well-intentioned humans sometimes discover deeply rooted and intractable disagreements with one another—is a profoundly tragic, and profoundly human,

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fact about our communal experience. Liberal individual rights take account of this fact. Rights are conflict notions in this important sense.

Still, if this is the liberal pro-rights position that communitarians mean to object to, then their objection is at best a strange one. If there were some community in which members were not *in any sense* individuals, then a rights-based system like liberalism would indeed be inappropriate as a framework for that community. In such a community, the members' interests would never diverge; there literally would be no opportunity for people to disagree, since such a community would in effect be a community of "one person" rather than a community of a group of different persons. The problem, however, is that the kinds of beings for whom theorists—communitarian and liberal alike—are designing political arrangements are forever, in at least some very trivial sense, *individuals*. Unless communitarians would commit themselves to the claim that the members of the "harmonious" and "genuine" communities they admire are in *no* sense separate, potentially antagonistic individuals, they cannot object to the fact that rights draw lines between persons—at least, they cannot object so long as the lines drawn by rights reflect (or impose) no greater divisions between people than minimally existed before such lines were drawn. It is evident, therefore, that any valid communitarian complaint about individual rights must be understood not as objecting to the mere drawing of lines between individuals, but rather as objecting that liberal rights mark these lines too strongly or in a damaging way.

One of the distinctive features about the concept of a right as a normative notion is that it is something that sanctions one person's asserting a claim against another person. When we say of someone that she should "exercise her rights," we usually mean that she should look out for her own interests—even at the expense of the interests of other people—by asserting the claims that her rights make possible. Indeed, in contemporary American society when someone announces that she may choose to "exercise her rights," she often intends this announcement as constituting a sort of threat. It is perhaps this feature about rights—the combative, litigious way that they may be exercised—that supports the communitarian criticism that individual rights mark lines between persons in a damaging, commitment-inhibiting way.

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However, as I have argued elsewhere, there is not just one, but instead *two*, ways that an individual can exercise a right.[19] One way a person can exercise a right-claim is by asserting it. If you loaned me five dollars last Wednesday on the condition that I would repay you when we met again on Saturday, then when you and I meet that Saturday you have a right-claim against me. You can exercise your right by asserting your claim and demanding repayment of the five dollars. How your assertion of your right-claim will affect the harmony of our relationship will depend on a variety of factors, including the manner (gentle or peremptory) in which you assert your claim.

However, you can also, if you choose, exercise your right-claim in a very different way. For instead of asserting your claim against me, your right-claim entitles you to choose voluntarily and knowingly *not* to assert it. If you and I are friends, and you know that I am perhaps embarrassed by my continuing financial difficulties, when we meet on Saturday you can use your right—especially in the light of my recognition that you do have such a right—to express your concern for me by *withholding* your claim. Rights provide opportunities for community members to act virtuously toward one another. For one way that I can recognize that your action toward me is, for example, "generous" is by first knowing what strict observance of the principles of justice requires—that is, by knowing that what you are sacrificing for me was in fact yours to sacrifice or claim.

Sandel would likely want to object that a community in which interpersonal virtues are based on voluntarism would still be too individualistic. Some of Sandel's criticisms of Rawls suggest that he would reject the idea of commitments that depend so directly on individual choices; Sandel might reject this view of commitment on the grounds that the practice of choice making in such circumstances gives each person's identity as an individual person priority over his identity as a member of a community. Sandel writes, "On Rawls' view, a sense of community describes a possible aim of antecedently individuated selves, not an ingredient or constituent of their identity as such. This guarantees its subordinate status."[20]

But what if it turns out that for a community to be virtuous at all, there need be some element of voluntariness in the bonds holding its members to one another? This is not to commit the liberal to the view that for any attachment to be "genuine" the parties so

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attached must be utterly individuated antecedently. We do not choose the families we are born into, nor, generally, the nations in which we live. We are not strictly individuated with respect to our membership in them but instead, and properly, each of us feels some important connection with her family just because it is *hers*. The liberal can affirm the importance of voluntarism in interpersonal relations without committing himself to unwanted further claims about the radical antecedent individuation of persons. To accomplish this, the liberal need only require that in close interpersonal attachments there must be *some* element of (or, even more weakly, some capacity for) choice making on the part of those so joined. At the end of the day, the precise quality of a person's bonds with her family will depend importantly on the kinds of choices she has made routinely in her dealings with them, and the same will hold true—though in a less immediate way—for her bonds with her nation.

Principles of justice, by publicly setting out individual rights, mark lines between people. But such lines need not inhibit us, and in some cases may assist us, in performing (and recognizing) virtuous actions with respect to our fellow community members. It is worth noting also that—considered strictly in terms of their ability to provide opportunities for virtuous interpersonal activities—a liberal system that recognizes only (or mainly) negative rights may be superior to liberal systems that attempt to set out extensive positive rights (i.e., so-called welfare rights) in addition to the traditional negative ones. This is so because when one withholds a positive right—a right *to* some benefit—the proximate "beneficiary" typically is some administrative agency or governmental fund. Negative rights, by contrast, more readily provide opportunities for withholding claims against specific nameable persons, against the people one knows personally, the people by bonding with whom genuine community attachments are formed and strengthened.

A minimal state requires that individual community members look out for one another in a direct way. A liberal system, emphasizing private property rights and other negative rights, puts individual voluntarism and community goodwill at the center of political and social arrangements. However, any political system that abandons the concept of welfare rights abandons also much of its (formal) ability to coerce uncooperative or selfish members into

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"contributing their share." This has the following important implication: when we say that certain matters of, for instance, education or nutrition are properly referred to in the language of "rights," then we take the provision of those goods to be matters of justice rather than of charity or any other form of voluntary virtue. The classical liberal does not eschew the ideal of people acting in ways that show their concern for one another, but rather insists that such people should be given full opportunity to develop the kinds of bonds that they are capable of developing through their own free decisions, that they should be given the opportunity to become fully the kind of socially responsible persons that they might be.

If Sandel and the other communitarians are right about the importance of genuine interpersonal community attachments, then we have reason to beware the extended, more pervasive political conception implied both by communitarianism and by Rawlsian welfare liberalism. Instead, if we are genuinely concerned to promote interpersonal attachments within a political system, it may well be to a minimalist, rights-based system that we should turn.

NOTES

1. This essay borrows from, and importantly extends, arguments I made in "Individual Rights and Community Virtues," *Ethics* 101, no. 3 (April 1991): 521–36.
2. See Charles Taylor, "Atomism," in Alkis Kontos, ed., *Power, Possession and Freedom* (Toronto: University of Toronto Press, 1979); Alasdair MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1984); Michael Sandel, *Liberalism and the Limits of Justice* (New York: Cambridge University Press, 1982); and Sandel's "Introduction" in Sandel, ed., *Liberalism and Its Critics* (New York: New York University Press, 1984).
3. John Gray, for instance, writes that "the sine qua non of the liberal state in all its varieties is that governmental power and authority be limited by a system of constitutional rules and practices in which individual liberty and the equality of persons under the rule of law are respected." See his *Liberalism* (Minneapolis: University of Minnesota Press, 1986), 75.
4. Sandel, *Liberalism and the Limits of Justice*.
5. Ibid., 1.
6. Ibid., 169.
7. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), 3.
8. Sandel, *Liberalism and the Limits of Justice*, 30.
9. Ibid., 31.

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10. Ibid., 32.
11. Ibid., 33.
12. Rawls, 7.
13. Amy Gutmann convincingly makes this point against Sandel in her article "Communitarian Critics of Liberalism," *Philosophy & Public Affairs* 14, no. 3 (1985): 311.
14. Rawls, 128.
15. H.L.A. Hart, *The Concept of Law* (Oxford: Clarendon Press, 1961), 190.
16. Lewontin, "Adaptation," *Scientific American* 239: 156–69.
17. Of course, there are other sources of support for the ideal of centralized governmental authority. I have examined some of them in "The Power Principle," *Criminal Justice Ethics* 14, no. 2 (1989): 56–60.
18. For an interesting set of arguments that suggest just how heavy this burden is for the libertarian, see David Miller, *Market, State and Community* (Oxford: Clarendon Press, 1989), 98–123.
19. For an extended argument about the function and value of individual rights within intimate harmonious communities, see my "Individual Rights and Community Virtues."
20. Sandel, *Liberalism and the Limits of Justice*, 64.

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Jeffrey Friedman

THE POLITICS OF COMMUNITARIANISM

Taylor, Sandel, Walzer, and MacIntyre waver between granting the community authority over the individual and limiting this authority so severely that communitarianism becomes a dead letter. The reason for this vacillation can be found in the aspiration of each theorist to base liberal values—equality and liberty—on particularism. Communitarians compound liberal formalism by adding to the liberal goal, individual autonomy, the equally abstract aim of grounding autonomy in a communally shared identity. Far from returning political theory to substantive considerations of the good, communitarianism legitimizes really existing liberal politics—the politics of the nation-state.

The "liberalism-communitarianism debate" has achieved almost canonical status in contemporary political theory, but familiarity can bring a loss of perspective. By immersing ourselves in the well-rehearsed differences between communitarians and liberals it is easy to forget the similarities. So instead of offering another disinterested exposition of—or liberal polemic against—the theories of Alasdair MacIntyre, Michael Sandel, Charles Taylor, and Michael Walzer, I want to focus on their similarities with liberal theories. I postpone until another occasion the task of doing the same for the

CRITICAL REVIEW, Spring 1994. ISSN 0891-3811. © 1994 Critical Review Foundation.

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communitarianisms of Robert Bellah et al., Roberto Unger, and Amitai Etzioni.[1]

I want first to examine communitarian political presuppositions. I will argue that when communitarians assert that the human good is only attainable within the constraints of the community, they mean that *equal individual freedom*—the primary goal of liberals—is only so attainable. Communitarianism attempts to provide a particularistic validation of the egalitarian, libertarian society liberals derive from universal principles. (I use the term "libertarian" throughout this essay to denote not only free-market libertarianism but any liberty-driven perspective. While for years many on the left have accurately called their goals "libertarian,"[2] the term has acquired a narrower, free-market meaning since the publication of Robert Nozick's *Anarchy, State, and Utopia*.[3] This narrower usage misleadingly suggests that only advocates of private property are partisans of liberty.)

A commitment to equal individual freedom is quite explicit in the work of most communitarians. I will show how this political basis of communitarianism leads to further, structural similarities between liberalism and communitarianism that, in turn, explain why the communitarians cannot transcend the abstract and formalistic character of contemporary political theory. This failing, if that is what it is, is manifested in the communitarians' surprising indifference to "the groups, associations, and localities in which we actually spend our lives."[4] Generally speaking, the communities with which communitarians are concerned are not families, friendships, neighborhoods, or other arenas of close human association, but nation-states.

Taylor's Republican Communitarianism

Unlike MacIntyre and Sandel, Taylor tends to portray liberalism positively, as a set of values that express much of what is good in modern life. But Taylor believes these values are unsoundly based on scientistic epistemology. Because they see human beings atomistically, liberals tend to think of freedom and equality in a way that threatens the institutions necessary to maintain them. For liberals subordinate to individual consent the "obligation to belong to or sustain a society, or to obey its authorities."[5]

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Locke and Nozick exemplify this tendency, and this is no accident: much of Taylor's work is a defense, against atomistic individualism, of the individual freedom and equality he thinks the welfare state provides. His recent work, *Sources of the Self*, even suggests that we may need to revive theism to sustain the moral demands of "justice and benevolence";[6] and Taylor has often turned his critical attention to the New Right apotheosis of private property.[7] Indeed, what may be Taylor's most influential essay, "Atomism" (1979),[8] is a rebuttal to Nozick's free-market libertarianism from a left-libertarian perspective.

Freedom and equality are admirable liberal values, in Taylor's view, because to be fully human is to be rational, and rationality depends on "becoming a fully responsible, autonomous being."[9] A proper understanding of freedom and equality, then, should begin with human nature and with the "respect" we owe those who share our potentially autonomous essence.[10] This respect stands behind our ascription of individual rights to our fellow beings. But "to say that certain capacities command respect or have worth in our eyes is to say that we acknowledge a commitment to further and foster them."[11]

Accordingly, the familiar liberal freedom not to be interfered with is not enough. Respect for our potentially rational fellow beings not only entitles them to protection from interference, but to the means for them to become autonomous. Taylor contends that "developed freedom requires a certain understanding of the self" that is "always partly defined in conversation with others or through the common understanding which underlies the practices of our society."[12] Therefore, one of the most important preconditions for autonomy is "a political culture sustained by institutions of political participation and guarantees of personal independence," for such a culture makes mutual respect "implicit in [our] common practices."[13] "We ought to belong to or sustain" such a society as a means to the end of equal individual liberty, and we have no right to freedom from the obligations attendant on belonging to and sustaining the institutions of such a society.[14] Taylor sees the liberal insistence that property rights and other negative rights exhaust the content of freedom as self-defeating, for "in undermining such a society," such rights would make "the activity defended by the right assertion impossible of realization."[15] Nozick fails to "recognize that asserting rights itself involves an obligation to belong."[16]

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By delegitimizing inviolable private property rights, Taylor makes possible the legitimacy of the welfare state. But this does not set him apart from liberals, who overwhelmingly accept the welfare state as necessary to the freedom of the dispossessed. Taylor's defense of freedom and equality substitutes "a principle of belonging or obligation" for "the ascription of certain rights to individuals,"[17] but nothing bars liberals from reconceptualizing their principles in this manner. In fact, Taylor's critique of Nozick is an immanent explication of the libertarian, egalitarian assumptions implicit in even free-market liberalism. This is why a theorist such as Will Kymlicka can make room within liberalism for whatever policies might be thought to follow from Taylor's communitarianism.[18]

Taylor seems to depart more emphatically from liberalism when he suggests that democratic government is valuable above and beyond its instrumental usefulness in promoting equal individual autonomy. "The condition for a successful participatory model," Taylor writes, "is a strong identification with the fate of the community. . . . Only such a strong identification with the society could move citizens to assume willingly the heavier burdens of a free regime. . . . This identification can perhaps be described in this way: it exists where the common form of life is seen as a supremely important good, so that its continuance and flourishing matters to the citizens for its own sake and not just instrumentally to their several individual goods."[19] But even here, Taylor has not really left liberalism behind. The reason he wants citizens to identify patriotically with the *polis* is a libertarian reason: this is the only way to win their *willing* support for the regime. The alternative to patriotism is "coercion" to extract the necessary "sacrifices," "demands," and "disciplines" from the citizenry.[20] And minimizing coercion is, of course, a liberal priority.

Taylor might respond that liberals cannot achieve their goal because their atomistic individualism prevents them from according intrinsic value to the free state and thus identifying with it. Yet Taylor has only shown that when the free state *appears* to have intrinsic value, it will be more effective in securing patriotic loyalty and thus in promoting individual freedom. In this chain of reasoning individual freedom, not the state that promotes it, is intrinsically valuable. Liberals need not, in principle, disagree with Taylor's contingent assertions about the preconditions for the survival

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of freedom, so there is nothing to stop them from propounding the noble lie that the free state is intrinsically valuable to get people to sustain that state voluntarily. Neither Taylor's contention that democratic institutions create mutual respect, nor his argument that coercive exactions will be minimized when those institutions are "seen as"[21] intrinsically valuable, establishes that they *are* intrinsically valuable.

Similarly, Taylor repeatedly contrasts a collectivist ontology against "atomist modes of thought" which portray "political societies" as "collections of individuals to obtain benefits through common action that they could not secure individually." Taylor claims that the "implicit ontology" of atomism "has no place for functioning republics,"[22] because such republics "are grounded on a common good of a stronger kind than atomism allows."[23] Yet as we have seen, Taylor's arguments for democratic institutions are themselves "atomistic." By his own account, those institutions are instrumental to autonomy and the minimization of coercion—i.e., to the freedom of the individual. But because Taylor is convinced that democratic institutions will be strong enough to promote individual autonomy only if citizens think and act *as if* those institutions were intrinsically, not instrumentally valuable, he concludes that we can only secure them by adopting an ontology that makes our political participation an expression of the individual's socially "situated" self.[24] Thus, "the impact of the ontological" attack on atomism is, Taylor writes, that only "encumbered selves who shared a strong sense of community" would have the "sense of mutual commitment" needed to sustain an egalitarian welfare state.[25] Here Taylor at last breaks the bonds of liberalism—but only because he asserts that this ontology is *true*. Liberals might be willing to accept as a useful fiction a collectivist ontology since that is, in Taylor's view at least, what makes the free state seem intrinsically valuable.

Taylor suggests that the moral epistemology corresponding to his ontology aligns him with Aristotle, who taught that "you have to start for your theory of justice from the kinds of goods and the kinds of common practices organized around these goods that people actually have in a given society. Ethical theory has to comprehend given practice; it can't just abstract from it." It is on this particularistic basis that Aristotle "makes politics . . . an essential feature of the human animal."[26] Taylor seems to be using socially

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given ends to bridge the is-ought gap, implying that whatever "is," in the sense of being socially accepted, "ought" to be seen as obligatory by the individual. This is the move that distinguishes communitarians from liberals, and it leads Taylor into the classic communitarian dilemma.

On the one hand, to be sure that the state will promote individual autonomy, Taylor has been driven to emphasize "the social embedding of human agents," the fact that "there is no way we could be inducted into personhood except by being initiated into . . . an ongoing conversation" within the "particular, historic communities" that comprise "the given webs of birth and history."[27] But this collectivist ontology does not confer intrinsic value only on *free* institutions. If socially given ends are obligatory for individuals merely by virtue of their membership in the society in question, this applies to inegalitarian, coercive ends as well as to those Taylor prefers.

Taylor therefore cannot endorse Aristotle without an admixture of Plato. "The goods about which one reasons in [a] context-related way include transcendent ones," so such reasoning can be critical of the socially given.[28] Thus, when Taylor is not discussing the civic humanist tradition of republican self-governance, but is expounding his ontology in the abstract, he suggests that rather than unquestioningly following the dictates of our society, we should be loyal only to communities with which we *agree* about the good. For example, he writes that one's communal "webs of interlocution" can be changed once one alters one's conception of the good, of salvation, of truth, or of wisdom. But this seems to render tautological our loyalty to the community in which we are ontologically embedded: if "sharply shift[ing] the balance in our definition of identity, dethron[ing] the given, historic community as a pole of identity . . . doesn't sever our dependence on webs of interlocution," but "only changes the webs, and the nature of our dependence," then our dependence on these webs is tenuous indeed.[29] On the one hand Taylor aligns himself with the particularistic, "Aristotelian" end of the spectrum as a means of securing devotion to the free polity; on the other hand the "Platonic," universalist essentialism that makes such a polity valuable in the first place would also seem to require that its citizens be able, like Socrates, to

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dissent from communal norms. A purely particularistic moral epistemology would defeat the libertarian purpose of the collectivist ontology that confers intrinsic value on the community, for it would allow no freedom from repressive, inegalitarian communities. Like all the communitarians, therefore, Taylor modifies his particularism so that it allows individual freedom—but at the cost of making it almost indistinguishable from universalistic liberalism.

Thus Taylor explicitly repudiates communities governed by "a divinely appointed despot,"[30] and endorses patriotism only in free polities, "functioning republics," where "I feel the bond of solidarity with my compatriots in our common enterprise, the common expression of our respective dignity."[31] Such a limited form of particularism takes back with one hand what it grants with the other, for its justification seems to derive solely from its importance in undergirding the institutions necessary for enforcing the transcendent, universalistic value of individual "dignity," i.e., autonomy.[32]

When pressed on this point, Taylor has at least once suggested that his particularism is not modified but pure. Against Kymlicka's attempt to reconcile communitarianism with liberal theory, Taylor indicates that he finds intrinsic value even in cultures that are "committed to illiberal values."[33] But this view contradicts Taylor's argument against Nozick, in which Taylor holds that the intrinsic value of republican communities is compatible with its instrumental usefulness as a bulwark of equal individual freedom. And it undermines the whole point of the ontological argument, which is to confer intrinsic value on *free* communities.

Taylor's dilemma simply revisits the difficulty in deriving values from facts. When, as with all communitarians, the facts in question are socially accepted values, one must either go along with them *tout court*—with all their potential illiberalism—or else invoke a transcendent, non-"factual" criterion of the good that must be imposed universalistically on communities that do not conform to it. Once one does so, "embedding" the individual in her "webs of interlocution" is philosophically superfluous. It can only function as a propagandistic device for securing citizen allegiance to republican institutions that are actually justified not particularistically but universalistically—as being integral to the transcendent good of autonomy.

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Sandel's American Communitarianism

Sandel's communitarianism may appear less liberal than Taylor's because Sandel emphasizes ontological over normative issues.[34] In doing so he brings into bolder relief the particularistic extremes Taylor only hints at. But in the end Sandel, too, modifies his particularism to conform with egalitarian and libertarian values.

Sandel begins with the flaws he perceives in Rawls's ontology of the "unencumbered self," the self stripped of his or her particular ends and, therefore, "capable of standing back to survey and assess and possibly to revise them."[35] Rawls relies on such a self, according to Sandel, to produce a fair theory of justice. A theory of justice that catered to any one person's ends alone would be unfair. Rawls guarantees fairness in theory construction by imagining a situation in which the authors of the social contract know nothing of their actual resources or goals. Only behind the "veil of ignorance" that brings this "original position" into existence could contractors pursuing self-interest come up with a fair theory.

The theory they would contrive, Rawls argues, would be radically egalitarian. It would rule out penalizing someone in the distribution of resources just because she happens to be born without advantages, such as wealth or even talent: contractors in the original position would so fashion the principles of justice that if they themselves were born without advantages, they would not suffer. The result of fair deliberation about distribution is thus the "difference principle," which allows only those distributive inequalities that will benefit the least advantaged (say, by encouraging the most advantaged to work harder and increase the total product). Nobody, however talented, can claim more of the "primary goods" everyone values unless this allowance will help the least talented or otherwise most unlucky. Since inborn talents are a matter of luck, they must be nationalized and put to the service of all.

Sandel finds one Nozickean response to Rawls's argument for the difference principle devastating. According to Rawls's own attack on utilitarianism, the individual must be seen as intrinsically worthy of protection, but by nationalizing talents Rawls maintains this protection in the letter but not the spirit. After all, asks Nozick, what kind of individual is left once we abstract his most personal characteristics?[36] To achieve fairness, Rawls has posited an unhuman self who is, therefore, irrelevant to deliberations about justice.

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Sandel proposes a way to "rescu[e] the difference principle from reliance on an apparently disembodied conception of the subject": like Taylor, then, he defends the welfare state against the free-market uses to which individualistic liberalism can be put.[37] As Sandel remarks, "the welfare state . . . offers a powerful promise of individual rights, and also demands of its citizens a high measure of mutual engagement," yet the individualistic "self-image that attends the rights cannot sustain the engagement."[38] Sandel's solution is a third alternative to seeing the resources the difference principle would distribute as owned either by disembodied Rawlsian selves or by Nozickian selves "thick with particular traits"[39] but irresponsible for each other's welfare. Under Sandel's alternative, resources, including talents, are owned by "a 'we' rather than an 'I,'" a self that embraces "more than a single empirically-individuated human being."[40] If "the bounds between the self and (some) others are thus relaxed," then "when 'my' assets or life prospects are enlisted in the service of a common endeavor, I am likely to experience this less as a case of being used for others' ends and more as a way of contributing to the purposes of a community I regard as my own."[41] So instead of relying on "rights-based liberalism" as the foundation of the welfare state—rendering it susceptible to Nozickian delegitimation[42]—Sandel turns to collectivist ontology to close the is-ought gap by the suppressed premise that the ends of the communally constituted individual are, *ipso facto*, legitimate. "The justification of my sacrifice, if it can be called a sacrifice, is not the abstract assurance that unknown others will gain more than I will lose, but the rather more compelling notion that by my efforts I contribute to the realization of a way of life in which I take pride and with which my identity is bound."[43]

Why is this sacrifice more acceptable when it is made in the name of the community that helps constitute my identity? Sandel seems to conflate the persuasiveness of the claim to a member of a community (the social "is") with the claim's truth (the normative "ought"). Without this conflation it would hardly matter if the difference principle were *experienced* as a violation of Kantian principles; it would only matter if the difference principle *did* use some people for others' ends. Has Sandel provided a rationale for the difference principle or merely a rationalization for it? Has he shown that it is just, or has he merely made it palatable?

Sandel writes that the expansion of the welfare state involves its

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citizens "in a formidable array of dependencies and expectations we did not choose and increasingly reject" because, by perceiving ourselves as "unencumbered," we feel "unmediated by those common identifications or expansive self-definitions that would make . . . tolerable" our multiplying social obligations.[44] As Taylor notes, Sandel "pushes us toward the issue of whether the kind of egalitarian distribution Rawls recommends can be sustained in a society which is not bound together in solidarity through a strong sense of community."[45] But in the process Sandel seems to have erased the distinction between *judging* whether the welfare state is a good thing and *persuading ourselves* that it is, so we can assume its obligations willingly.

In place of Rawls's justification of the welfare state in terms of fairness, Sandel appeals to our preexisting, socially given commitments. Rawls, too, must begin with a preexisting commitment—to fairness. But since (at least in *A Theory of Justice*) Rawls does not premise its validity on its social givenness, he can criticize communities that do not share it. How can Sandel find similar critical purchase in communities that do not already agree with him?

The purely particularistic answer would be that he should not try. But it would defeat the egalitarian purpose of Sandel's communitarianism if he were to uphold the right of communities of free-market libertarians, or bigots, or industrialists to secede from the larger "community." His particularism is, like Taylor's, less than pure: it endorses only certain communities. His defense of the difference principle is couched as an expression of the beliefs of the *American* community.

Sandel locates the historical essence of the United States in its origins as a "civic republic" where "liberty . . . was defined, not in opposition to democracy, as an individual's guarantee against what the majority might will, but as a function of democracy, of democratic institutions and dispersed power." American liberty is, therefore, "public, or political liberty" rather than "primarily individual."[46] By contrast, in the view shared by Rawls and Nozick, according to which each individual is free to do whatever she chooses (as long as her choice is consistent with the conditions of justice, designed to secure maximum freedom for all), "deliberation about ends can only be an exercise in arbitrariness."[47]

One reason for saying that conventional liberalism renders deliberation about ends arbitrary is that liberalism makes individual

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freedom intrinsically valuable, entailing that none of the things the individual might choose to *do with* her freedom could be intrinsically valuable. For if, between contradictory ends *A* and *B*, *A* is intrinsically good, then how could my ability to choose *B* be intrinsically valuable? To assert the intrinsic value of the freedom to choose from among any given set of conflicting options is to render them all equally valuable and to make choice among them arbitrary.[48] But Sandel does not make this argument, which would apply equally to the free choices of socially situated and unsituated individuals—or would, looked at from a different perspective, simply transform the arbitrariness of individual choicemaking as an intrinsic good into the arbitrariness of collective choicemaking as an intrinsic good. How, then, does Sandel escape the conclusion that public liberty is as arbitrary as the private version? He writes:

> When I act out of more or less enduring qualities of character, by contrast, my choice of ends is not arbitrary in the same way. In consulting my preferences, I have not only to weigh their intensity but also to assess their suitability to the person I (already) am. . . . Although there may be a certain ultimate contingency in my having wound up the person I am—only theology can say for sure—it makes a moral difference none the less that, being the person I am, I affirm these ends rather than those, turn this way rather than that.[49]

I determine which of my conflicting allegiances are obligatory, then, by introspecting until I find which one seems the most "compelling." One could well maintain that at bottom *all* moralities must begin with some "gut-level" feeling that *A* is more compelling than *B*. Sandel's version of this process, therefore, is notable not for being arbitrary, but because his insertion into it of communitarian allegiances in particular and personal identity in general does *not* help decide how to act.

Consider Sandel's claim that "the civil rights movement of the 1960's might be justified by liberals in the name of human dignity and respect for persons, [but] by communitarians in the name of recognizing the full membership of fellow citizens wrongly excluded from the common life of the nation."[50] The word "wrongly" may beg the question, but the word "citizens" is more worrisome. By implicitly defining the relevant community as the United States, Sandel decides the issue in advance: by legal definition, African Americans are *Americans* and thus wrongly excluded from

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the privileges of citizenship. But to those whose identities were constituted by "Dixie" or by Klan membership or by a belief in states' rights or freedom of association, the issue was not so simple—or rather, it was simple but the conclusion was very different. Surely Sandel would not suggest that members of these communities, after the appropriate investigation of their personal-cum-communal identities, were right to stick by their segregationist principles, and that the only thing to be said for the civil rights movement to those who were not predisposed in its favor was that it was, eventually, backed up by the National Guard.

Sandel is careful to write, then, that "we cannot conceive ourselves . . . as bearers of selves *wholly* detached from our aims and attachments" and thus, it seems, from our communities—which allows that we *are* detached enough that we can criticize communal aims. The boundaries between self and others are "relaxed" but not entirely dissolved; they are demarcated "by the capacity of the self through reflection to participate in the constitution of its identity."[51] So while "the story of my life is always embedded in the story of those communities from which I derive my identity," that story remains "open-ended."[52] But if communal identity is susceptible to reflective modification, what is left of communitarianism? While Rawls himself undoubtedly *started* from his socially constituted identity as a modern, a liberal, an American citizen, a resident of Massachusetts, a Harvard professor, a member of the philosophy department, a writer of a book on justice, and so on, he derived from these identities a doctrine that repudiated particularity and established (in Sandel's view) an abstract ontology. If it is *not* legitimate for Rawls to participate in the constitution of his identity in this way (or, alternatively, if one's philosophical doctrines are not to be considered constitutive of one's identity), then there would appear to be no reason that a Klansman *should* have second thoughts about his identity. On the other hand, if one can and should criticize one's socially given ends, then Sandel's position collapses into that of Rawls.

Thus, in defining the boundaries of the American community and the criticisms that might be made against its current practices, Sandel seems to rely on the disembodied reasoning he criticizes in Rawls. He approves only the policies of universalistic mainstream liberals: civil rights, pornography regulation, plant-closing laws, affirmative action, the difference principle. In this Sandel is not

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being duplicitous or hypocritical. The definition and criticism of communal particularity is bound to rely on some form of extra-communal reasoning: this is inherent in making one's communally constituted identity "open-ended." Since in any reasonably complex society there will already be disagreements about which values *are* communally given, and about how best to interpret them, an appeal to abstract criteria to adjudicate such disagreements is inevitable.

The criteria Sandel uses to demarcate the boundaries of the community and the acceptable forms of criticism seem to be informed by the liberal values of freedom and equality. Sandel, like Taylor, contends that these values require a particularistic grounding if Rawls is not to give way to Nozick. But since pure particularism would sanction illiberal communities and would leave the illiberal elements in our own community uncriticized, he modifies it, as Taylor did, in a way that makes it equivalent to liberalism.

Walzer's Socialist Communitarianism

Walzer's rejection of liberal universalism has an even more explicitly rhetorical dimension than Sandel's and Taylor's. "The *force* of [Rawls's] singular conclusion," Walzer maintains, "is not easy to measure. It is surely doubtful that [rational contractors in the original position,] if they were transformed into ordinary people, with a firm sense of their own identity, with their own goods in their hands, caught up in everyday troubles, would reiterate their hypothetical choice or even recognize it as their own." Rawlsian values need a more persuasive footing than Rawls's theory allows. For to Walzer the question is not what we would choose if we were constrained by a veil of ignorance, but "What would individuals like us choose, who are situated as we are, who share a culture and are determined to go on sharing it?"[53]

Walzer answers that we would distribute different classes of goods according to the particular criteria our culture deems appropriate for each class. Such a distribution dictates a decentralized democratic socialism that would avoid the "tyranny" of any group over their peers, which Walzer defines as their ability to use a particular good—such as wealth—to amass goods outside the ap-

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propriate "sphere."[54] "The common understanding of the goods at stake" is Walzer's is-ought bridge.[55]

From the outset, however, he is unwilling to confer equal legitimacy on all common understandings. In modern, internally differentiated societies, only those common understandings consistent with the division of social life into separate spheres are just. If a society fails to differentiate spheres—a tendency present in all societies—then it may be called to task by critics (such as Walzer). These must, however, be socially "connected" critics who draw their criticisms from the community's consensus about the spheres of justice and the criteria appropriate to them.

The idea of connected social criticism embodies the tension between pure and modified particularism. Walzer contends that "we *have to* start from where we are," that is, with "our own principles and values."[56] This "have to" may seem empirical and tautological: "there is no other starting point for moral speculation," implying that even one who repudiates the socially given can be considered a connected critic.[57] But the tautological understanding of connected criticism would leave Walzer no scope for condemning modern societies that allow the goods appropriate to one sphere to dominate in others.

Like significant elements of Taylor's and Sandel's writings, Walzer's *Spheres of Justice* originates in disagreement with Nozickian libertarianism.[58] Walzer's response to laissez-faire capitalism is, in effect, to prohibit what Marxists call "commodification" by limiting the power of money to its socially constituted sphere. As does Sandel, Walzer tries to cut the ground from under the likes of Nozick by deriving socialism from the current egalitarian and libertarian cultural consensus rather than, *à la* Rawls, from universalistic notions of individual rights that can backfire by being interpreted to sustain laissez faire. If a social critic could cavalierly repudiate the social consensus, Walzer's argument would have accomplished nothing: a free marketeer could criticize the welfare state simply by declaring private property sacrosanct. Yet if *any* social consensus were acceptable just as it is, Walzer could not advocate further steps toward socialism even where the consensus is, generally speaking, egalitarian and libertarian. So the socially given must be "authoritative for us"[59] at the same time that we can criticize it.

As Ian Shapiro notes, the need for critics to be connected to the

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social milieu they criticize "can be interpreted two ways, one tactical and one normative."[60] This restates the ambiguity in moving from social facts to binding values. Walzer thinks a connected social critic can call us back to our shared understandings of the goods appropriate to the spheres of justice; but one wonders what the critic can be calling us back *from*, if not an "authoritative" culturally shared understanding, compared to which the critic's disagreement must be nonauthoritative. Everything depends on how the community is defined, for this determines whose opinions constitute the "common meanings" that decide whether there are distinct spheres of justice and what standards apply to them.[61] For example, Shapiro points out that Walzer asserts "that the purpose of the sphere of education is to prepare children for democratic citizenship," but that he gives us no reason to prefer this understanding of education to the view that it should serve "enlightenment or excellence"—even though "the latter values are at least as strongly represented as the former in our political culture. Put differently, we can accept Walzer's claim that for justice or equality to be realized they must be implied in our conventional behavior . . . and still believe that many possible, perhaps mutually contradictory, distributive practices are hidden" there.[62]

By the same token, Walzer's very insistence on separate spheres must either conservatively reproduce what is already accepted, giving him no critical leverage, or transcendentally condemn accepted criteria. Imagine a laissez-faire society in which it is commonly accepted that wealth should be able to buy anything. In this society the agreed-upon meaning *of money* is such that separate spheres are ruled out. To some extent this society is our own. Within it, the community of free marketeers holds a much broader understanding of the appropriate sphere of money than does the community of social democrats of which Walzer is a member. How do we choose between these understandings? Implicitly, Walzer appeals to the minority status of the free-market community. He expressly sets out to develop "an egalitarianism that is consistent with liberty," and he is right to think that these values are better served, at least in theory, by socialism than by capitalism. But why pursue liberty and equality rather than private property? The answer is that liberty and equality are latent "in our shared understandings of social goods. *Our* shared understandings; the vision is relevant to the social world in which it was developed; it is not

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relevant, or not necessarily, to all social worlds."[63] Walzer thereby privileges his own community in two senses. He defines "us" in a way that excludes dissident minorities within, such as free marketeers. And he insulates the social-democratic consensus from the shared understandings of societies where inegalitarianism is so deeply ingrained that no connected critic will be able to establish separate spheres.

On the other hand, such societies are insulated from the imposition of egalitarianism on them by us. Here Walzer seems to provide—alone among the communitarians—a rationale for pure particularism: a refusal to extend the precepts of his own community to others. But by imposing them on secessionary free marketeers, he belies his particularism. And even Walzer's refusal to impose his community's precepts on external communities is grounded in his own community's precepts. We should abstain from imposing our conceptions of justice on societies that lack them because if we did so, "justice itself would be *tyrannical*."[64]

We can infer that pure particularism is impossible, for even one's exemptions of some societies from one's political principles must be based on a universalistic criterion that grants to each community the right to live as "it" wishes. Pure particularism is similar in both form and content to neutralist conceptions of liberalism: by granting individuals the right to live as they please, neutralist liberalism violates neutrality between libertarians and paternalists, just as Walzer invokes a communally grounded egalitarianism even while attempting to maintain neutrality between egalitarian and hierarchical communities. Neither liberals nor communitarians respect neutrality, for liberal individuals may not live as they please if this interferes with the equal right of others to do so; and communitarian communities may not do as they please if they please to impose their standards on other communities. Walzer's theory, its epistemological particularism modified to ensure equality and liberty, joins those of Sandel and Taylor in retreating to liberal principles.

MacIntyre's Premodern Communitarianism

MacIntyre shares with Sandel and Taylor the tendency to define his own position (which he never calls communitarianism) against "individualism." By this term MacIntyre means the methodological

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(ontological and epistemological) stance I have been calling universalism. But while the other opponents of universalism embrace liberal values, MacIntyre seems to reject liberalism completely. My claim is nonetheless that MacIntyre's magnum opus, *After Virtue*,[65] and indeed MacIntyre's entire *oeuvre*, is only antiliberal methodologically, and that, as with the other communitarians, his attempt to combine a particularistic methodology with liberal values explains the structure and, ultimately, reveals the futility of his project.

After Virtue begins by observing that contemporary moral discourse gets us nowhere, because its participants start from incompatible value judgments. Our interminable debates over such issues as abortion, the legitimacy of the welfare state, and the morality of war suggest to MacIntyre that we "possess no unassailable criteria" by which we can hope to overcome "the conceptual incommensurability of . . . rival arguments."[66] MacIntyre dates this impasse to the seventeenth century. Until then, the teleological ethics of Aristotle provided "genuine objective and impersonal standards which provide[d] rational justification for particular policies, actions and judgments and which themselves in turn [were] susceptible of rational justification."[67] But in the modern era, although we continue to express our values in a vocabulary containing fragments of premodern moral terminology, we treat these fragments as meaningless taboos, groundless injunctions whose rational justification has long been forgotten. The "emotivist" philosopher C. L. Stevenson argued that the values we defend are nothing but expressions of our unjustifiable personal feelings. While MacIntyre rejects the universal validity of emotivism, he does think it accurately describes the ultimate nature of modern moral discourse. No wonder our public debates break down: we quickly encounter each other's unreasoned convictions, to which we can respond only by reaffirming our own.

This account of our predicament sends MacIntyre back to the Greeks for a remedy—but not, at first, to Aristotle. Instead, MacIntyre begins with the predecessor to classical Athenian ethics: Homeric morality, one of a variety of "heroic" ethics found in premodern societies in which one's social position dictated one's obligations. MacIntyre presents the unreflective correspondence between individual duty and one's place in the social order displayed in the *Iliad* as the polar opposite of modern emotivism, and

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he preserves something of this correspondence in his own communitarianism. MacIntyre admires how "the self of the heroic age lacks precisely that characteristic which . . . some modern moral philosophers take to be an essential characteristic of human selfhood: the capacity to detach oneself from any particular standpoint or point of view, to step backwards, as it were, and view and judge that standpoint or point of view from the outside."[68]

Heroic versions of embedded selfhood begin from "some condition of pure historical contingency, from the beliefs, institutions, and practices of some particular community which constitute a given. Within such a community authority will have been conferred upon certain texts and certain voices. . . . The beliefs, utterances, texts, and persons taken to be authoritative are deferrred to unquestioningly."[69] This heroic particularism corresponds to the pure communitarianism with which Walzer, Sandel, and Taylor begin. Like them, MacIntyre soon modifies his initial praise for the authority of the community over the individual. His two most important modifications can be called the philosophical and historical provisos to his particularism.

According to MacIntyre, Aristotle was heir to a heroic tradition that, due to social changes, had fallen into a state of incoherence. The clash between the more cooperative values of the Athenian *polis* and the competitive values of Homer's heroes, as well as doubts about Homeric values caused by contact with other cultures, led Aristotle to set himself "the task of giving an account of the good which is at once local and particular—located in and partially defined by the characteristics of the *polis*—and yet also cosmic and universal."[70]

Aristotle's dictum that man is a political animal can be used to illustrate both aspects of his project. On the one hand, the phrase "a political animal" marks Aristotle's debt to heroic ethics by suggesting that our proper ends are set for us by our community. Aristotle sought to link "the concepts of virtue and goodness on the one hand and those of happiness, success and the fulfilment of desire on the other," as they were linked in heroic societies.[71] Rather than following Plato in setting reason against inclination—an impractical basis for a realistic political order—Aristotle saw that we can be trained, through participation in "practices" that presuppose socially given criteria of excellence, to attain the inclinations, the "virtues," that are internally validated by such practices. Such vir-

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tues reflect our nature as political beings in two senses. First, the process of acquiring them requires that during a training period we be subordinated to socially established norms. Second, the end result of this training is to premise our happiness on success in activities that are, again, socially established.[72]

On the other hand, the "cosmic and universal" pole in Aristotle's thought is indicated by his assumption that "man is" something or other by nature. This assumption gives rise to the philosophical proviso. It elevates the particularism of heroic ethics into the good of man *qua* man. While in heroic ethics there is no gap between facts and values because what one *is*, according to the norms of one's society, directly determines the excellences one *should* pursue (so that even to describe an individual's role in such terms bifurcates it), in Aristotelian ethics any is-ought gap is precluded because what one essentially is, the universal human *telos*, directly determines the excellences one should pursue. These virtues are those internal to practices, because practices, being doubly social, express our political nature.

Yet the philosophical proviso also *limits* "conventional and local" practices. For one thing, it subjects them to "natural and universal . . . rules of justice."[73] These rules prohibit practices and virtues that run counter to the "qualities of mind and character which would contribute to the realization of [the] common good" of those engaged in "founding a community to achieve a common project."[74] "The absolute prohibitions of natural justice" follow, that is to say, from Aristotle's recognition "that the individual is indeed intelligible only as a *politikon zôon*."[75] Examples of offenses against the common good "would characteristically be the taking of innocent life, theft and perjury and betrayal."[76]

The philosophical proviso also limits particularism by establishing the purpose of justice as allocation according to desert. "To deserve well is to have contributed in some substantial way to the achievement of those goods, the sharing of which and the common pursuit of which provide foundations for human community," and the achievement of which "is a good for the whole community who participate in the practice."[77] At first glance this may seem less to limit than to enshrine particularism; but it rules out a particularistic defense of communities in which distribution accords with one's accumulation of goods that are external to practices—goods to which practical activity is merely instrumental. External goods

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(e.g. power, fame, and money) "are always some individual's property and possession," and "the more someone has of them, the less there is for other people."[78] In this respect they are in conflict with the essentially social human essence. This explains why Aristotle juxtaposes against the virtue of justice the vice of *pleonexia*, or acquisitiveness.

In addition to subjecting communal practices and virtues to natural law and to the standard of distributive desert, the dictates of essential human nature, when joined with a Sophoclean insight that Aristotle suppressed, but that was revived in the Middle Ages, limit the local and particular in a third way. This insight is the recognition of "a multiplicity of goods," and therefore of "the centrality of opposition and conflict in human life"—conflict, that is, "of good with good": *tragic* conflict.[79]

Pervasive tragic conflict would lead to something like the situation facing modern emotivists—"*too many* conflicts and *too much* arbitrariness," which could only be resolved arbitrarily—were it not for the fact that by positing a human *telos*, Aristotle subordinates practices and their virtues to "the notion of a type of whole human life which can be called good."[80] What it means to lead such a life, however, depends on the historical proviso.

The historical proviso originates in the medieval concept of a "narrative quest." This concept historicizes the Aristotelian *telos*, since for medieval Christians we are in this life engaged on a journey from a sinful beginning toward the salvific future.

> The medieval vision is historical in a way that Aristotle's could not be. It situates our aiming at the good . . . in contexts which themselves have a history. To move towards the good is to move in time and that movement may itself involve new understandings of what it is to move towards the good.[81]

Pure, heroic communitarianism is historical only in a backward-looking sense: the socially given may have a history, but that history ends in the present. The historicity added by the concept of a quest is primarily futuristic. "An adequate sense of tradition manifests itself in a grasp of those future possibilities which the past has made available to the present."[82] Thus, while

> the story of my life is always embedded in the story of those communities from which I derive my identity . . . rebellion against my

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> identity is always one possible mode of expressing it. . . . The fact that the self has to find its moral identity in and through its membership in communities such as those of the family, the neighborhood, the city and the tribe does not entail that the self has to accept the moral *limitations* of the particularity of those forms of community. Without those moral particularities to begin from there would never be anywhere to begin; but it is in moving forward from such particularity that the search for the good, for the universal, consists.[83]

Once Aristotle's communitarianism is modified by the historical proviso, the result is MacIntyre's abstract and seemingly empty specification of the human *telos*, the "type of whole human life which can be called good," as consisting in "the unity of a narrative quest," such that "the good life for man is the life spent in seeking for the good life for man."[84] What makes such a life possible is that it is conducted within the confines of a community animated by "a history" that makes each of its members, willy-nilly, "one of the bearers of a tradition"—by which MacIntyre means not only a body of just, socially given practices and virtues, but one that can be transcended through future-directed "criticism and invention."[85]

Thus, while insisting that we should learn from heroic societies that "all morality is always to some degree tied to the socially local and particular and that the aspirations of the morality of modernity to a universality freed from all particularity is an illusion,"[86] MacIntyre allows that the "authoritative texts or utterances" of a tradition are "susceptible to . . . alternative and incompatible interpretations";[87] debates between these interpretations constitute traditions as ongoing *arguments*.

Kymlicka has underscored how this view of a tradition oscillates between pure particularism and universalism. If we can participate in a tradition by criticizing it—if we can express our communally given identity by rejecting it—"then it's not clear how MacIntyre's view is any different from the liberal individualist one he claims to reject."[88] Just as Walzer, Sandel, and Taylor alternate between descriptions of our ineluctable embeddedness in tautologically defined communities and proscriptions of certain types of community, MacIntyre faces a contradiction between, on the one hand, his sustained polemic against "modern individualism" for claiming that "I can always, if I wish to, put in question what are taken to be the merely contingent social features of my existence," and, on the

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other, his description of "*all* reasoning" as taking place "within the context of some traditional mode of thought."[89] If all reasoning is traditional, then modern individualism qualifies as a tradition; but how, then, can MacIntyre criticize it, or its emotivist denouement, as being antithetical to tradition?

It would seem that either one must accept the universalization of particularism achieved by the provisos, depriving one of any communitarian basis for criticizing liberalism, or, to condemn liberalism, one must defend the pure authority of the socially particular over the individual. But taking the latter course means replacing the clash of irrational individual "preferences" to which MacIntyre objects with an equally irrational clash of communal traditions; emotivism between individuals gives way to emotivism between communities.

The socially given values of MacIntyre's readers are precisely the ones he claims to oppose. How can he ask universalists to renounce their hostility to tradition when this hostility *is* the tradition of which they "find" themselves "the bearers," whether they "like it or not"?[90] Either moderns must submit quietly to their fate and continue as moderns, or, if they are to follow MacIntyre in repudiating their tradition, they must transcend and criticize it. But in the case of this particular tradition, to criticize and transcend is to reaffirm. Criticism itself, even MacIntyre's criticism of universalistic criticism, is universalistic. When he writes that "there is no standing ground, no place for enquiry, no way to engage in the practices of advancing, evaluating, accepting, and rejecting reasoned argument apart from that which is provided by some particular tradition or other,"[91] one cannot but notice the self-contradictory universality of his claim: it must, to be valid against those who believe there *is* a standing ground apart from tradition, transcend its origin in MacIntyre's particularistic tradition and attain the universalistic status it denies is possible.

While in *After Virtue* (1981) MacIntyre does not accord to liberalism the status of a tradition, depicting it instead as the antithesis of all tradition, in *Whose Justice? Which Rationality?* (1988) and *Three Rival Versions of Moral Enquiry* (1990) he attempts to show that he can criticize the liberal tradition without resort to transcendent, universalistic arguments of the very sort he objects to in liberalism. MacIntyre's post-*After Virtue* approach has emphasized that when traditions are viewed as ongoing debates, they can sometimes encounter

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dead ends in which progress stops, or crises in which their presuppositions are called into question. At such junctures they can be superseded by other traditions that offer ways around the obstruction and that explain, in terms acceptable to adherents of the stymied tradition, why that tradition has reached an impasse and why only those who adopt the competing tradition's standpoint can understand the genesis of the first tradition's difficulties. So rather than condemning liberalism as antitraditional, MacIntyre seeks to show how it is itself a tradition that has reached certain conundrums that can only be resolved, and explained, from MacIntyre's own (Thomistic) tradition.

While Walzer seems to advise social critics that a community's interpretation of itself is more likely to be altered by immanent than by transcendent criticisms, in his post-*After Virtue* works MacIntyre seems to describe how intellectual history can be a more effective weapon in intertraditional battles than are appeals to extratraditional standards. Like the other communitarians, though, MacIntyre does not see himself as merely providing sound tactical advice for participants in ideological warfare. He thinks intellectual history is not only effective as rhetoric and illuminating as scholarship, but valid as a form of argument capable of transcending the limitations of a tradition while avoiding the "individualistic" illusion that one can judge traditions "from a purely universal and abstract point of view that is totally detached from all social particularity."[92]

Yet in these works MacIntyre depends on a tacit universalism in assuming that progress in a tradition must always be seen, from within, as good, that stasis must be seen as bad, and that challenges to a tradition must be seen as crises rather than simply invalid criticisms. It is not at all difficult to imagine a tradition—such as, perhaps, that of Homeric Greece—imbued with, even defined by, the opposite belief, either because it equates change of any kind with evil or because it sees itself as possessing the final understanding of the good and, therefore, views the notion of "progress" away from the status quo as a contradiction. From the standpoint of such a tradition, MacIntyre's form of intertraditional rationality would be an hubristic and putatively universalistic imposition. This merely emphasizes the universalistic foundations of the historical proviso that sets traditions in forward motion.

Conversely, universalists hold that a tradition's ability to explain

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a competing tradition's difficulties is irrelevant, strictly speaking, to the truth of either tradition; all that counts is which tradition is right, not which tradition produces better intellectual history. From this perspective, MacIntyre's criterion for mediating between traditions constitutes a universalistic criticism of universalism—and an invalid one at that.

The criticism of the socially given that Walzer, Sandel, and Taylor wish to allow stems from the particular community of which they are members—the *fin-de-siècle* left, imbued with the values of liberty and equality. MacIntyre is usually seen as being a thoroughgoing critic of that community; but why does he reproduce their dilemma? Why does he elevate communal particularism to the status of an intrinsic good only to insist on provisos that disqualify certain forms of community and that allow individual criticisms of the communities left standing?

MacIntyre as Marxist

The outlines of an answer become clear if we quickly review the evolution of MacIntyre's thought.[93] He begins as a (critical) Marxist and, even as late as *After Virtue*, is still grappling with the question of where Marxism went wrong. In his first major works of the 1950s, MacIntyre diagnoses the problem with Marxism as its predictive philosophy of history, which leads to the dogmatic persecution of those who dissent from the predictions. MacIntyre seeks a remedy by returning to the source of the normative commitments that had originally inspired the young Marx: prophetic Christianity.[94] Prophecy could identify good and evil without recourse to historical prediction, pointing the way to a form of community in which individuals, no longer divided by class antagonisms, could live together in freedom and equality. By the end of the decade, however, MacIntyre has located an alternative source of legitimacy for his vision of a socialist community: a "permanent and long-run" human desire for free communal attachment.[95] This theory affords MacIntyre a new vantage-point from which to criticize Stalinism. He now interprets Stalinism as a combination of state power with deterministic Marxist predictions of inevitable revolution, resulting in a disastrous legitimation of individualistic "desire as it is, random and anarchic, seeking power and immediate pleasure only

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too often"—in contrast to the communal desire satisfied by true socialism.[96]

In 1960 MacIntyre turns to the Wittgenstein of the *Philosophical Investigations* (published in 1953), who emphasized the social origins of concepts, to explain why determinism is not only dangerous but invalid: social conventions, not physical movements of the sort that could yield positivist predictions, determine the meaning of human action.[97] Wittgenstein also suggests to MacIntyre an explanation for why Marxism never made headway in Britain. The Industrial Revolution had destroyed the religious basis for "over-all social agreement as to the right ways to live together" that could alone render "intelligible" any "claims to moral authority."[98] But this explanation opens a fissure between what legitimizes socialism in the mind of the philosopher—its expression of a characteristic human desire—and what could have legitimized it in the minds of the workers: its expression of socially authorized norms.

In MacIntyre's *A Short History of Ethics* (1966), a similar fissure separates, on the one hand, the minimal social agreement on impersonal norms that all societies, good and bad, require if action within them is to be "intelligible," and on the other hand the specific norms that can bring our desire for social unity to fruition.[99] MacIntyre's Wittgensteinian turn raises the obvious question of how to distinguish good social consensus from bad, societies that achieve intelligibility through a consensus around hierarchical, coercive values from those that do so through an egalitarian, libertarian consensus. In *A Short History of Ethics*, MacIntyre opts to render Wittgensteinian social intelligibility virtually superfluous by means of continued recourse to the communal desire thesis. In his book on Herbert Marcuse (1970), however, MacIntyre confronts another Marxist theorist of desire satisfaction—and repudiates him. Marcuse, like MacIntyre, used essential, permanent desires as a criterion against which empirical, current desires could be judged—inevitably with "elitist" implications.[100] Having rejected Marcuse's paternalism, MacIntyre had no alternative but to use the idea of socially conferred intelligibility itself as a criterion for distinguishing good from bad social consensus.

This is what the philosophical and historical provisos of *After Virtue* accomplish, by tempering particularism with universalistic and critical elements.[101] The philosophical proviso enables us to sift the various possible forms of community, using natural-law crite-

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ria to screen out those that are antithetical to the precondition of intelligibility, i.e., socially established practices. The proviso thus preserves what is valuable in particularism: socially established norms of the kind embodied in practices *equalize* the individuals who are subordinated to them. Having been socialized—by force, if necessary[102]—to accept the legitimacy of the ends that are internal to practices, the members of a community can consummate the ideal of free community because, sharing the same ends, they can achieve them noncoercively.[103] In modern societies, by contrast, each individual, as the source of his own values, confronts his fellows as adversaries whom he must manipulate or coerce in order to get his way.[104] Social rationality is replaced by nonrational forms of persuasion that operate in the absence of intelligibility: bureaucratic and therapeutic manipulation.[105]

Because MacIntyre understands capitalism to depend on an ideology of managerial bureaucracy,[106] the distinction between ends that are internal and those that are external to practices provides a criterion for condemning capitalism—and it lays the foundations of socialism by making internal goods the standard of desert. For "the rules of a market economy . . . detach the rewards of economic activity from any conception of merit or desert. When prices and wages are determined within a market framework, such expressions as 'just price' and 'just wage' are deprived of application"; yet "justice in exchange requires that conceptions such as those of a fair wage and a just price should have application."[107] Controlled prices are, of course, antithetical to market economies. Moreover, "for an Aristotelian acquisitiveness as such, *pleonexia*, is a vice, indeed the vice which is the principal form of injustice."[108] Hence MacIntyre's repeated calls for banning usury, which he derives from a Thomistic "version of the labor theory of value"[109]—and which would have the effect of ending any private, socially organized capital accumulation.

The philosophical proviso also guides the criticism of the socially given that is sanctioned by the historical proviso. It fills in the content of the future *telos* toward which a narrative quest points. A life evaluated as a narrative whole is one that, while starting in the socially particular past, "move[s] forward from" it in the "search for the good, for the universal." The standpoint of the future is thus the capacity to identify the "moral limitations" of the socially particular.[110] MacIntyre provides an example of how this works when he

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considers Aristotle's exclusion of slaves, barbarians, and the poor from political participation and the possession of certain virtues. Aristotle's error, according to MacIntyre, was that he failed to account for future possibilities: he "did not understand the transience of the *polis* because he had little or no understanding of historicity in general."[111] The "moral limitations" of a social order are its departures from the egalitarian and libertarian values that have animated MacIntyre's work from the start.

Communitarian Formalism

The ongoing debates within MacIntyre's traditions are not, however, restricted to rectifying inequities in the socially given. The idea of tragically incommensurable goods would appear to provide fuel for endless (but rational and therefore noncoercive) intratraditional discussions of how to classify, rank, specify, and reconcile communal goods and how to impart the corresponding virtues. The theoretical activity of MacIntyre's exemplary traditionalists, Aristotle and Aquinas, suggests this. One might therefore be tempted to conclude that MacIntyre has succeeded in infusing ethical thought with substance, or more generally that communitarianism, as is often said, restores "the good" to the place from which liberalism displaced it in favor of "the right."

This conclusion may seem to be confirmed by MacIntyre's, Taylor's, and Sandel's denunciations of the relativism they perceive in the liberal attempt to remain "neutral" on questions of value by leaving them open to individual judgment. Sandel notes that liberalism is far from neutral when it comes to "toleration and freedom and fairness"; these "are values too, and they can hardly be defended by the claim that no values can be defended."[112] So in one sense, at least three of the four communitarians seem to be absolutists: defenders of "the good" against the relativizing tendencies of "neutral" liberal rights.

But in fact communitarians are as prone to relativism as liberals. Communitarian relativism takes two forms, corresponding to the tension between pure and modified particularism, i.e., between social facts and the particular values upheld by modern communitarians.

The first form of communitarian relativism has been character-

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ized by Ronald Beiner as a "formalism," since "to affirm community as such is to abstain from judgment about the substantive attributes of a given community"—precisely like the liberals who relativistically abstain from judgment about the substantive attributes of a given individual's chosen way of life.[113] A concise statement of communitarian formalism is provided by MacIntyre's endorsement of "membership in a community which shares allegiance to *some* tolerably specific ultimate overall conception of the human good"[114]: *which* conception of the good is, apparently, unimportant, since any conception that meets the minimal standards of natural law and is open to criticism will promote nonmanipulative enquiry and noncoerced action.

But recall that when Sandel criticized the disembodied self's deliberation about ends as a mere "exercise in arbitrariness," he addressed the question of whether by privileging communal over individual ends he was not himself recommending arbitrariness. His answer brings out the second form of communitarian relativism. Communally constituted ends are not "arbitrary in the same way" as individually constituted ends, Sandel wrote, because in consulting communally constituted ends "I have not only to weigh their intensity but also to assess their suitability to the person I (already) am."[115] It would be difficult to compose a better expression of the thoughtful modern individualist's creed: her desires, while perhaps not the crass "tastes and preferences" of the neoclassical (and Austrian)[116] economist (which include impulsive as well as introspective desires), are still expressions of her preexistent self, so introspection into how she *already* feels becomes decisive in determining what is good "for her."

Now we have a paradox, for it is exactly this complacency toward one's pregiven preferences that communitarians criticize when they decry the modern triumph of "the right" over "the good." In explaining how his position does not result in intercommunal relativism Sandel, at least, appears to have returned to the interpersonal relativism embodied in the neutral liberal state he attacks.

The paradox is explained by the liberal content of the specific "goods" valorized by Sandel and the other communitarians: "toleration and freedom and fairness."[117] It is true that, as Sandel notes, these are values, so a government that enforces them is not, strictly speaking, neutral. But the intuitive plausibility of the myth of lib-

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eral neutrality reflects an important difference between these values and others, such as beauty or truth or happiness. Truth, beauty, and happiness are first-order values: if happiness is good, it follows that, absent countervailing values, one should do whatever will create happiness. By contrast, toleration, freedom, and fairness allow choices among first-order values: if toleration is good, it follows only that one should do what will allow people to choose . . . to do whatever they wish. Truth, beauty, and happiness are substantive ends; toleration, freedom, and fairness are means enabling the production of *either* truth or falsehood, beauty or ugliness, happiness or misery—depending on the choices of those on whom toleration, freedom, and fairness confer authority, liberty, and resources.

In this respect the liberal state *is* sui generis, albeit not neutral. For the liberal state adjudges as good not things that are good in themselves, but things (such as civil liberties and Rawlsian primary "goods") that allow its citizens to pursue whatever *they* judge to be good. The reason communitarians face the same relativistic danger as liberals is that like liberalism, communitarianism is a formal doctrine concerned with who should have the authority to make substantive decisions, not with the content of those decisions.

The contrary impression is due not only to the communitarians' antineutralism, but to their tendency to be "virtue theorists." In calling on the state to protect certain character traits, such as a patriotic devotion to the free state, communitarians are more prescriptive than most liberals, who relegate character formation to the private sphere that is to be protected from state interference. But even a virtue theory remains abstract and formalistic to the extent that the reason for developing the virtues in question is either that the practices of our community—*whatever* those practices are—demand them; or that by being trained to communally specified virtues, we are (individually or collectively) enabled to choose freely among tragically incommensurable goods, life projects, or political options—*whichever* goods, projects, or options we choose.

Liberals, too, have an is-ought bridge. By conferring intrinsic value on freedom of choice, liberalism makes goods of one's given preferences. In the same way that *only* an individual with *uncriticizable* preferences is intrinsically entitled to be free to act on them—regardless of their content—only the assumption that the commu-

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nity's preferences are intrinsically good confers on it the authority to govern individual action.

By the same token, the liberal violation of neutrality in theory and in practice has its parallel in communitarianism. In theory, just as what might be called "pure liberalism" is nonneutral toward paternalists' individual preferences, pure particularism is nonneutral toward the values shared by communities of universalists. In practice, all liberals—even classical liberals—combat the egoistic implications of their doctrine by prohibiting individual actions and conditions that violate the freedom of other sovereign individuals. They trump liberty with equality. Similarly, communitarians defuse the repressive implications of their doctrine by defining the community so its members are free to choose among goods and free to criticize the socially given. Homer is to communitarianism as is Max Stirner to liberalism.

Communitarian Abstraction

Pure, particularistic communitarianism would be as relativistic as liberalism because it would replace a grant of arbitrary authority to the individual to determine the good with a grant of arbitrary authority to the community to do the same. Communitarianism as we know it, modified communitarianism, has the worst of both worlds, granting authority to the community only as a means to the arbitrary authority of the individual. The result of this double formalism is to intensify the abstraction of modern political theory from concrete human concerns.

Liberal theory is abstract insofar as it precludes assessing the end results of its conferral of authority on the individual. Liberals *could* argue that state paternalism is counterproductive and that a policy of religious toleration, by preventing internecine warfare, is instrumental to the goods that flourish in a peaceful society.[118] By the same token, free-market liberals could argue that the welfare state does more harm than good and that laissez faire, both by preventing the wasteful and debilitating struggle for political power and in other respects, is instrumental to a variety of valuable ends. But for the most part liberal theorists, left and right, fail to make such arguments, let alone back them up with dispassionate and careful research (and even the economists who do so tend to be narrow in

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their conception of valuable ends). What kind of *life* results from the entrenchment of individual freedom? What goods and what evils are attributable to it? These questions are largely absent from the pages of Rawls and Dworkin and Nozick—but also from the pages of MacIntyre, Walzer, Sandel, and Taylor.

It is true that MacIntyre's writings on narrative unity often tempt one to imagine he is trying to show the way to a more fulfilling life. If this were his intention, we could say that he had devised a theory that (if true) contains more substance, more about the good, than the last two decades of liberal political thought combined. Unfortunately this is not his intention: if it were he would be a utilitarian, but "utilitarianism cannot accomodate the distinction between goods internal to and goods external to a practice," he claims.[119] MacIntyre does not favor internal goods because their attainment is inherently more satisfying—although such an argument could easily be made. Rather, they are preferable because in subordinating us to common ends, they reduce manipulation by allowing us to relate to each other on the basis of shared impersonal standards rather than conflicting individual goals. Why, then, is narrative unity valuable? Not because being able to tell a story about oneself that has a coherent beginning, middle, and end feels fulfilling, but because narrative unity requires that the communal goods that free us from manipulation be transformed into a tradition and thereby opened to criticism on the basis of its future possibilities.

Similarly, Taylor writes evocatively of the perception that in modern society "work is dull, monotonous, without meaning, 'soul-destroying.'"[120] He explains how the consumerist multiplication of needs and therefore of dissatisfactions may to some degree counterbalance the great achievements of capitalist societies: the relief of preindustrial suffering and squalor and the extension to almost all of the joys of privacy, nature, and companionship. He discusses the tendency of the quest for personal fulfilment to subject the nuclear family, originally the locus and to some extent the product of this quest, to pressures that may undermine it. But then he resorts to the idiom of freedom in describing these matters, closing off the impetus to research and contemplation as surely as liberalism does by making liberty an end in itself. If, as Taylor writes in this mode, worker-manager relationships do not resemble the "equal, autonomous" image of consumer-producer relationships because workers "for the most part . . . stand very much as

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subordinates in command relationships"; if by succumbing to mindless materialism we confront "a challenge to our image of ourselves as realized moderns determining our purposes out of ourselves, dominating and not being dominated by things"[121]—then that is enough to decide these questions. Any desire to weigh the effects of these phenomena on, say, our sense of well-being is thereby stifled, as is any similar scrutiny of the effect on the texture of our lives of Taylor's omnibus solution: "the politics of the ecological Left," which aims "to decrease the overload on centralized, bureaucratized governments" only so as to increase the power possessed and the decisions made by "smaller, more accessible public authorities," furthering the goal of political participation.[122]

Community or Polity?

A similar problem mars, to some extent, Beiner's unique and invaluable quasicommunitarian contribution to contemporary political thought, *What's the Matter with Liberalism?* (1990). Beiner repudiates the liberal assumption that people are automatically equipped to be "the supreme arbiters of their own interests and preferences" and seeks instead to "illuminate needs and desires of human life that the subjects themselves have failed to acknowledge."[123] In the process he emphasizes, with indelible effect, that beneath the veneer of liberal neutrality "there is a distinctive liberal way of life, characterized by the aspiration to increase and enhance the prerogatives of the individual; by maximal mobility in all directions, throughout every dimension of social life (in and out of particular communities, in and out of socioeconomic classes, and so on); and by a tendency to turn all areas of human activity into matters of consumer preference; a way of life based on progress, growth, and technological dynamism."[124] Beiner ascribes these characteristics to "one particular vision of the good, namely, that choice in itself is the highest good."[125]

One would expect that to sustain his charge that the resulting choices are "banal, empty, and stultifying," Beiner would attempt to provide what neither liberalism nor communitarianism does: an alternative to choice as the highest good, an "independent, external standard" by which to evaluate both individual and collective choices.[126] But while Beiner endorses Aristotle's "ideal of a life that

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is not mere restless striving," he seeks to actualize it in the very form that, as he notes, "is decisive for theorists like Taylor, MacIntyre, and Sandel": a civic republican state that might "render individuals more *autonomous*," both by "removing or inhibiting the power of other social forces to captivate and bewitch individuals without directly coercing them," and by "empower[ing] those included in it to contribute to the shaping of a shared collective destiny."[127] As a means to this end Beiner favors a "socialist" program of full employment, economic planning, and reduced income inequality that he describes as "a beefed-up welfare state plus a greater sense of political involvement"—the goal of which is "the greater exercise of political citizenship."[128]

One wonders how this goal marks a departure from either liberal or communitarian formalism, which, as Beiner trenchantly shows, differ from each other (if at all) only over the question of whether the individual or a group of individuals should be autonomous.[129] It is true that in Beiner's view citizenship is concerned with "what is good" for the community, but he describes this good only in such purely formalistic terms as "the achievement of shared purposes"—whatever those purposes may be.[130] And as his references to the "empowering" capacities of political participation show, his program of collective autonomy serves the same end, individual autonomy, cherished by the other modified communitarians' formalisms.

Just as distressing is how quickly Beiner's keen critical faculties fail when he turns from dissecting the culture of consumer sovereignty to that of the sovereign citizen. He condemns liberalism for allowing that "one may be a citizen in good standing and yet do absolutely nothing after having attained membership: not vote, not participate in jury service, not read newspapers or keep oneself informed politically."[131] But just as there can be commodity fetishism, so can there be polity fetishism: the illusion—rampant in the socially conscious, newspaper-reading, well-informed intelligentsia—that compulsive attention to current events somehow *matters*. There are at least two issues here: the effectiveness of participation in mass democracies, and its intrinsic value.

On the one hand, Beiner worries that not enough people are involved, and not actively enough, in the crucial policy decisions that affect their lives; this is part of why he endorses civic republicanism. But while he quotes at length the key passage from

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Schumpeter that sets forth the problem of the competency of mass electorates, and he backs it up with a small sample of the many measures of public ignorance about political issues,[132] Beiner does not consider whether political ignorance may be rational and inevitable, given not only the complexity of public issues but the infinitesimal effect any one voter, or even political activist, has on their outcome. Does it make sense, as more than a ritual act, to spend time and energy studying and worrying about "issues" that, in truth, even specialists do not understand and that, in any case, one has no chance of influencing? Important questions about the nature of democratic culture, the illusions it fosters, and the advisability of undertaking drastic economic reforms in the interest of remedying a possibly intractable situation go unasked.

Is political participation good even if it *is* hopelessly incompetent and ineffective? Beiner can only justify the discrepancy between his astute criticism of theoretical formalism and his hearty endorsement of civic republicanism with the unargued assertion that citizenship is "one of the essential needs that we have as political beings."[133] It is not, of course, indisputable that we *are* political beings, certainly not in the sense Beiner has in mind. Why he assumes that we are is perhaps revealed in another casual aside, where he contrasts "the imperatives of private consumption" to "the satisfactions of collective responsibility."[134] The latter phrase may puzzle those who have served on a committee, worked in a political campaign, or chaired an assembly—let alone observed with detachment the progress of real-world political "deliberation."[135] Is it common to find such experiences satisfying, or is one not more often depressed by the pettiness, dogmatism, and—what amounts to the same thing—the endless capacity for self-delusion on display in politics?

There may be no "nonpolitical" way of reaching decisions that would exempt them from human frailties. But if the question is whether there are ways of maximizing the satisfactions and minimizing the frustrations of political life, surely impersonal forms of political decisionmaking might be less hospitable to some of the worst human tendencies. If there are any general arguments to be made for allowing a broad scope to market decisions, their priv-

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atistic character might be one. For while irrationality may well influence decisions about what to buy as much as decisions about how to vote, private irrationality is less tiresome than the public variety.

The problems with Beiner's view are neatly summarized by his reaction to an essay by Charles Krauthammer praising "indifference to politics," especially by the young, on the grounds that political indifference "leaves all the more room for the things that really count: science, art, religion, family, play."[136] Far from being a statement of "the pure liberal doctrine of citizenship," as Beiner contends,[137] Krauthammer's position is purely substantive: it displays no formalistic reliance on the priority of choice over the good, or on individual rights. It does not culminate in value relativism. Whether or not one agrees with Krauthammer's conclusion, one must admit that it is a model of substantive judgment of exactly the sort Beiner might be expected to applaud.

Against Krauthammer's discussion of the good, Beiner derives, from the "apocalyptic potential" of modern state power, the thesis that "citizenship that is more than formal membership is not a privilege but a moral necessity."[138] This is a non sequitur. Even if citizenship could make a difference—and a desirable one—in modern politics, surely not even Beiner would want us to devote our entire lives to it. So it seems fitting to weigh citizenship against such goods as the ones Krauthammer lists. This cuts two ways. First, Beiner misses an opportunity to explore Krauthammer's picture of intellect, beauty, spirituality, love, and play as constituents of the good life, and to investigate their political, cultural, and social prerequisites. Second, he fails to consider how citizenship and socialism fit—or fail to fit—into such a life. If we are to move beyond formalism, then Beiner's and Taylor's reservations about consumerism need to be translated into nonformalist claims, empirically investigated, balanced against the alternatives, and supplemented by considering the effects of what may be an inherently ugly, untruthful, and unsatisfying sector of society—democratic politics, and its concomitant, bureaucracy[139]—on the texture of everyday life. Otherwise their preoccupation with "controlling our fate" remains but a collectivized version of individualist libertarianism.

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Communitarianism or Nationalism?

Nonformalist political theorists would draw on empirical political science, political and personal psychology, cultural anthropology, history, art history, sociology, evolutionary biology, and economics to discern the limits and possibilities of attaining whatever goods they proposed.[140] All of this will be part of the agenda of CRITICAL REVIEW.

An important part of it, almost certainly, will be a consideration of what is slighted or only derivatively treated by modern communitarians: the contribution of actual, lived communities to our well-being. This will surely involve questions of the size of good communities. Communitarians frequently advocate a decentralization of political power, but always as a way of promoting civic or Thomistic virtues, which are, in turn, desired for their emancipatory effects. A more substantive version of communitarianism might consider whether the size and even the power of political communities could be limited so that they less often destroy neighborhoods through eminent domain, highway subsidization, homogenizing and deadening building codes and zoning laws, and policies—such as drug prohibition—that contribute to crime. Conversely, communitarian defenders of capitalism should have to consider the destructive side-effects of economic and social mobility. If such substantive ends as beauty and happiness become the subject of political theory, we can begin to evaluate which forms of community are conducive to psychologically fulfilling and even aesthetically pleasing interpersonal relationships and environments.[141]

By contrast, MacIntyre's call for "local forms of community" is a counsel of despair about any other way of sustaining "the intellectual and moral life" under current conditions—sustaining, in other words, the life of freedom to choose among primary values.[142] There are, as noted, moments in which Taylor suggests a commitment to specific primary values and to local communities as a means to them, but it is difficult to see how these moments fit into a political theory in which the highest good is the freedom to choose goods, individually and collectively.[143] Walzer's careful attention to the conditions of life in the marketplace, workplace, office, school, and home is invariably directed toward discerning social understandings that require egalitarian distributions of

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power and resources—although his work is replete, as is that of MacIntyre and Taylor, with policy suggestions that could be argued on substantively communitarian grounds.[144] Sandel writes that communitarians are "troubled by the tendency of liberal programs to displace politics from smaller forms of association to more comprehensive ones," but this concern stems from their desire to encourage "those intermediate forms of community that have at times sustained a more vital public life."[145]

Beiner points out that communitarianism is often inaccurately perceived as extolling "the raptures of *Gemeinschaft*";[146] one might, however, view *Gemeinschaft* communitarianism as at least offering a starting point for substantively discussing the relationship between community and the human good, compared to the formalistic versions of communitarianism we have examined. The danger Beiner sees in *Gemeinschaft* communitarianism is its tendency to legitimize nationalism. But ironically, the civic republicanism he shares with the other communitarians may best be seen as marking the accommodation of elements of the left with one of its traditional enemies, the nation-state, having recognized that it is within the confines of that state that elements of socialism have been, and can be, instituted. The marginality of the communitarians' interest in small-scale communities is demonstrated by their eagerness to locate political power in the national state, which is explicit in all four of our theorists.[147]

If the substantive effects of community do not motivate contemporary communitarianism, what does? Whether they essentially wish to build on contemporary welfare states, as do Taylor and Sandel, or make more radical anticapitalist departures, as do Walzer and MacIntyre (and Beiner), the "communities" to which communitarians would direct our loyalties are states that do or can, in theory, effect equal individual freedom; but communitarians recognize that the glue that holds such states together is particularistic—which is to say, nationalistic. We have seen that the communitarians' modifications of particularism invariably assure that the communities legitimized by their theories are animated by egalitarian, libertarian traditions. If successful, communitarianism would render equality and liberty valuable when confined to an exclusive nation. Walzer devotes an entire chapter of *Spheres of Justice* to the right of a community to exclude outsiders from membership, including employment and the receipt of welfare benefits.[148] Such

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exclusions of "outsiders" contradict the universalistic foundation on which socialism traditionally rested and arguably must rest. By breaking with internationalism, communitarians achieve a degree of political realism barred to liberals, who must elide the particularist nature of modern politics. It is not the good that communitarianism legitimizes, but the exclusivistic state.

Considered as a possible element in human well-being, *Gemeinschaft* could be balanced against other elements and, because it can be so destructive, cordoned off from state power. But as the prerequisite for freedom and equality—which communitarians see as the highest goods—particularism becomes virtually an end in itself, and its link to the state indispensable. Thus, for example, in moving from an instrumental to an intrinsic rationale for devotion to the autonomy-conferring democratic state, Taylor makes the empirical observation that some goods, such as the feeling of unity expressed in a concert ovation, are inherently collective.[149] Because he is antecedently convinced that democracies are intrinsically valuable, Taylor does not take his observation seriously enough to ask empirical questions about it: e.g., Is democracy truly as pleasurable as a concert? Might not, say, fascism be more likely than democracy to lead to collective goods of this sort? For regardless of the answers to such questions, Taylor is constrained to endorse whatever he adjudges the preconditions of the free state to be. And, sharing in the realism of the other communitarians, he recognizes that particularism is one of these preconditions.

By contrast, openly evaluating *Gemeinschaft* in light of first-order ends such as happiness might allow us to find ways to indulge particularistic sentiments safely, perhaps by depoliticizing them; and if not, it would compel us to repudiate them. It is far from evident whether we can say the same of a politics that confers intrinsic value on particularistic states. While the communitarians would strenuously oppose the use of their doctrines to support unfree polities, their own need to modify particularism indicates the dangers attendant on making it a criterion of political legitimacy.

NOTES

1. On Unger's liberalism see Will Kymlicka, "Communitarianism, Liberalism, and Superliberalism," CRITICAL REVIEW 8, no. 2 (Spring 1994): 263–84.

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2. See, for instance, David Miller, "F. A. Hayek: Dogmatic Skeptic," *Dissent*, Summer 1994: 346–53, at 352.
3. Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974).
4. Robert Nisbet, *The Twilight of Authority* (London: Heinemann, 1976), 287.
5. Charles Taylor, "Atomism," in idem, *Philosophy and the Human Sciences: Philosophical Papers*, vol. 2 (Cambridge: Cambridge University Press, 1985), 188.
6. Idem, *Sources of the Self: The Making of the Modern Identity* (Cambridge, Mass.: Harvard University Press, 1989), 517; on theism, 518, 342.
7. See especially, in addition to "Atomism," idem, "Alternative Futures: Legitimacy, Identity and Alienation in Late Twentieth Century Canada," in Alan Cairns and Cynthia Williams, research coordinators, *Constitutionalism, Citizenship and Society in Canada* (Toronto: University of Toronto Press, 1985), 202; Charles Taylor, "Legitimation Crisis?" in idem, *Philosophy and the Human Sciences*; and idem, *Sources of the Self*, 505.
8. See n5 above.
9. Taylor, "Atomism," 191.
10. Ibid., 192.
11. Ibid., 194.
12. Ibid., 209.
13. Ibid., 198, 205.
14. Ibid., 197.
15. Ibid., 198.
16. Ibid., 200.
17. Ibid., 188.
18. Will Kymlicka, *Liberalism, Community, and Culture* (Oxford: Clarendon Press, 1989), chs. 7–14. In Charles Taylor, "Can Liberalism Be Communitarian?" CRITICAL REVIEW 8, no. 2 (Spring 1994): 257–62, Taylor maintains that (1) Kymlicka is not a communitarian because he does not recognize the intrinsic value of particular communities, and thus could not justify coercive measures in their defense; and that (2) Kymlicka's argument is paternalistic because it confines to an instrumentalist role goods that community members think are intrinsically valuable. Both of Taylor's claims appear to vindicate the freedom of a community to pursue whichever ends it deems valuable. They therefore contradict his devotion to the essential value of autonomy.
19. Taylor, "Alternative Futures," 213.
20. Idem, "Cross-Purposes: The Liberal-Communitarian Debate," in Nancy Rosenblum, ed., *Liberalism and the Moral Life* (Cambridge, Mass.: Harvard University Press, 1989), 165.
21. Idem, "Alternative Futures," 213.
22. Idem, "Cross-Purposes," 166.
23. Ibid., 167.
24. Ibid., 160.
25. Ibid., 162. Here Taylor is explicating, and endorsing, Sandel's critique of

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Rawls. On the connection between collectivist ontology and the welfare state see Taylor, *Sources of the Self*, 505, and idem, "Alternative Futures," 202.

26. Charles Taylor, "Justice after Virtue," in Michael Benedikt and Rudolf Burger, eds., *Kritische Methode und Zukunft der Anthropologie* (Vienna: Wilhelm Braumuller, 1985), 36, 38.
27. Taylor, "Cross-Purposes," 163; idem, *Sources of the Self*, 35, 36.
28. Idem, "Justice after Virtue," 41; cf. idem, *Sources of the Self*, 66.
29. Idem, *Sources of the Self*, 39.
30. Idem, "Alternative Futures," 213.
31. Idem, "Cross-Purposes," 166.
32. Ibid., 165.
33. Idem, "Can Liberalism Be Communitarian?" (n18 above), 260.
34. This is true of all the works discussed below: Michael J. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982); idem, "The Procedural Republic and the Unencumbered Self," in Shlomo Avineri and Avner de-Shalit, eds., *Communitarianism and Liberalism* (Oxford: Oxford University Press, 1992); and idem, "The Political Theory of the Procedural Republic," in Allan C. Hutchinson and Patrick Monahan, eds., *The Rule of Law: Ideal or Ideology* (Toronto: Carswell, 1987).
35. Sandel, "The Political Theory of the Procedural Republic," 90.
36. Nozick, 228.
37. Sandel, *Liberalism and the Limits of Justice*, 79.
38. Idem, "The Procedural Republic and the Unencumbered Self," 28.
39. Idem, *Liberalism and the Limits of Justice*, 100.
40. Ibid., 80.
41. Ibid., 144, 143.
42. Idem, "The Political Theory of the Procedural Republic," 89.
43. Idem, *Liberalism and the Limits of Justice*, 143.
44. Idem, "The Political Theory of the Procedural Republic," 96.
45. Taylor, "Cross-Purposes," 162.
46. Sandel, "The Political Theory of the Procedural Republic," 93.
47. Idem, *Liberalism and the Limits of Justice*, 180.
48. Or so I argue in Jeffrey Friedman, "The New Consensus: II. The Democratic Welfare State," CRITICAL REVIEW 4, no. 4 (Fall 1990): 633–708, at 639–42; idem, "After Libertarianism: Rejoinder to Narveson, McCloskey, Flew, and Machan," CRITICAL REVIEW 6, no. 1 (Winter 1992): 113–52, at 126–34; and idem, "Truth and Liberation: Rejoinder to Brooks, Sassower and Agassi, and Harris," CRITICAL REVIEW 8, no. 1 (Winter 1994): 137–57, at 137–43.
49. Sandel, *Liberalism and the Limits of Justice*, 180.
50. Idem, "The Political Theory of the Procedural Republic," 91.
51. Ibid., 90; Sandel, *Liberalism and the Limits of Justice*, 144.
52. Sandel, "The Political Theory of the Procedural Republic," 90–91. Here

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Sandel is explicating and endorsing MacIntyre, as Taylor explicated and endorsed Sandel (n25 above).

53. Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), 5, emph. added.
54. Ibid., 18–19.
55. Ibid., 12.
56. Idem, "Interpretation and Social Criticism," in Sterling M. McMurrin, ed., *The Tanner Lectures on Human Values*, vol. 8 (Cambridge: Cambridge University Press, 1988), 16, 17.
57. Ibid., 16.
58. Walzer, *Spheres of Justice*, xvii.
59. Ibid., 20.
60. Ian Shapiro, *Political Criticism* (Berkeley: University of California Press, 1990), 85.
61. Walzer, *Spheres of Justice*, 28. Ronald Dworkin criticizes Walzer on similar grounds in "To Each His Own," *New York Review of Books*, April 14, 1983: 5.
62. Shapiro, 84.
63. Walzer, *Spheres of Justice*, xiv.
64. Ibid., 313, emph. added.
65. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 2nd ed. (Notre Dame, Ind.: University of Notre Dame Press, 1984).
66. Ibid., 8.
67. Ibid., 18–19.
68. Ibid., 126.
69. Idem, *Whose Justice? Which Rationality?* (Notre Dame, Ind.: University of Notre Dame Press, 1988), 354.
70. Idem, *After Virtue*, 148.
71. Ibid., 140.
72. The reason MacIntyre cannot accept Aristotle's "metaphysical biology"—by which MacIntyre seems to mean Aristotle's claim that the ultimate human end is to contemplate the metaphysically permanent, i.e., the divine—is that a contemplative view of the human essence conflicts with "Aristotle's view of man as essentially political." Ibid., 158.
73. Ibid., 150.
74. Ibid., 151.
75. Ibid., 150.
76. Ibid., 151.
77. Ibid., 202, 190–91.
78. Ibid., 190.
79. Ibid., 201, 163.
80. Ibid., 201, emph. original.
81. Ibid., 176.
82. Ibid., 223. Cf., *inter alia*, ibid., 221: "insofar as the virtues sustain the relationships required for practices, they have to sustain relationships to

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the past—and to the future"; and ibid., 146: "the past, if necessary and if possible, is corrected and transcended, yet corrected and transcended in a way that leaves the present open to being in turn corrected and transcended by some yet more adequate future point of view."

83. Ibid., 221, emph. original.
84. Ibid., 201, 219.
85. Ibid., 221, 222.
86. Ibid., 126–27.
87. Idem, *Whose Justice? Which Rationality?* 354–55.
88. Kymlicka, *Liberalism, Community, and Culture*, 57.
89. MacIntyre, *After Virtue*, 220, 222, emph. added.
90. Ibid., 221.
91. Idem, *Whose Justice? Which Rationality?* 350.
92. Idem, *After Virtue*, 32.
93. I will present a more thorough treatment of MacIntyre's intellectual evolution in *The Politics of Communitarianism*, forthcoming.
94. Alasdair MacIntyre, *Marxism: An Interpretation* (London: SCM Press, 1953); idem, "The Logical Status of Religious Belief," in idem, ed., *Metaphysical Beliefs: Three Essays* (London: SCM Press, 1957).
95. Idem, "Notes from the Moral Wilderness—II," *The New Reasoner*, no. 8 (Spring 1959): 89–98, at 90.
96. Ibid., 98.
97. Idem, "Breaking the Chains of Reason," in E. P. Thompson, ed., *Out of Apathy* (London: Stevens and Sons, 1960), 195–240.
98. Alasdair MacIntyre, *Secularization and Moral Change* (London: Oxford University Press, 1967 [1964]), 54.
99. Idem, *A Short History of Ethics* (New York: Macmillan, 1966).
100. Idem, *Herbert Marcuse: An Exposition and a Polemic* (New York: Viking Press, 1970), 72.
101. Prefigurations of the provisos are to be found in idem, "Ideology, Social Science, and Revolution," *Comparative Politics* 5, no. 3 (April 1973): 321–42; idem, "The Essential Contestability of Some Social Concepts," *Ethics* 84, no. 1 (October 1973): 1–9; and idem, "Social Science Methodology as the Ideology of Bureaucratic Authority" (1975), in Maria J. Falco, ed., *Through the Looking-Glass: Epistemology and the Conduct of Inquiry, an Anthology* (Washington, D.C.: University Press of America, 1979).
102. E.g., Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry* (Notre Dame: University of Notre Dame Press, 1990), 91.
103. Idem, *After Virtue*, 159, 229.
104. Idem, "Rights, Practices, and Marxism: Reply to Six Critics," *Analyse & Kritik* 7 (1985): 234–48.
105. On manipulation: idem, *After Virtue*, 23, 24, 30, 68, 74, 104; idem, *Whose Justice? Which Rationality?* 86; idem, "Community, Law, and the Idiom and Rhetoric of Rights," *Listening: Journal of Religion and Culture* 26, no. 2 (Spring 1991): 96–110. On social rationality: idem, "The Intelligibility of

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Action," in J. Margolis, M. Krausz, and R. M. Burian, eds., *Rationality, Relativism and the Human Sciences* (Boston: Martinus Nijhoff, 1986), 72; MacIntyre, *Whose Justice? Which Rationality?*, 396.

106. Idem, *After Virtue*, 228; idem, "Ideology, Social Science, and Revolution," 341–42; idem, "Social Science Methodology as the Ideology of Bureaucratic Authority," 57.
107. Idem, "Rights, Practices, and Marxism," 245.; cf. idem, *Whose Justice? Which Rationality?* 112.
108. Idem, "How to Seem Virtuous without Actually Being So" (Lancaster: Centre for the Study of Cultural Values, Lancaster University, Occasional Paper No. 1), 15.
109. Idem, *Whose Justice? Which Rationality?* 199–200; cf. idem, "How Moral Education Came to Find Its Place in the Schools," in National Humanities Center Working Paper #1, *Ethics and Moral Education* (Research Triangle Park, N.C.: National Humanities Center, November 1980), 3; idem, *Three Rival Versions of Moral Enquiry*, 164.
110. Idem, *After Virtue*, 221.
111. Ibid., 159.
112. Sandel, "The Political Theory of the Procedural Republic," 86.
113. Ronald Beiner, *What's the Matter with Liberalism?* (Berkeley: University of California Press, 1990), 31.
114. MacIntyre, "Community, Law, and the Idiom and Rhetoric of Rights," 99, emph. added.
115. Sandel, *Liberalism and the Limits of Justice*, 180.
116. On the Austrian acceptance of neoclassical assumptions about pregiven preferences, see David L. Prytchitko, "Formalism in Austrian-School Welfare Economics: Another Pretense of Knowledge?" CRITICAL REVIEW 7, no. 4 (Fall 1993): 567–92.
117. Sandel, "The Political Theory of the Procedural Republic," 86.
118. Perhaps such considerations could be added to those adduced by Peter Simpson for a "neutral" state in "Liberalism, State, and Community," CRITICAL REVIEW 8, no. 2 (Spring 1994): 159–73.
119. MacIntyre, *After Virtue*, 198, 190.
120. Taylor, "Alternative Futures," 197, quoting E. F. Schumacher.
121. Ibid., 197, 200.
122. Ibid., 208.
123. Beiner, 7.
124. Ibid., 22.
125. Ibid., 25.
126. Ibid., 28, 29.
127. Ibid., 48, 33, 27 (emph. changed), 27, 105.
128. Ibid., 168, 153.
129. Ibid., 31.
130. Ibid., 151, 147.
131. Ibid., 114.

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132. Ibid., 106–107, quoting Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy* (New York: Harper and Row, 1976), 260–61.
133. Beiner, 144–45.
134. Ibid., 118.
135. Ibid., 133.
136. Quoted in ibid., 128–29.
137. Ibid., 128.
138. Ibid., 130.
139. James Q. Wilson suggests that bureaucratization—in the sense of "red tape"—is encouraged by the needs of democracies to "constrain" the conduct of their agencies: *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989).
140. An initial moment of radical choice between primary values, at least in order to place them in a hierarchy, is in this view inevitable; but unlike formalist theories, there is no implication that whatever goods are chosen are good *by virtue of being chosen by a preferred authority*, whether that authority is the individual or the community. The theorist posits as axiomatically good, say: truth over falsehood, beauty over ugliness, happiness over misery—perhaps after, or in the course of, historical genealogies of the contingent sources of such ideals and their definitions. There is no passing the moral buck to the community, the individual, or the Supreme Being.
141. Cf., e.g., James Hudson, "Individual and Community: Charles Murray's Political Philosophy, CRITICAL REVIEW 8, no. 2 (Spring 1994): 175–216.
142. MacIntyre, *After Virtue*, 263.
143. See, e.g., Taylor's distinction between the "experiential" and the "public" aspects of his understanding of modernity, of which only the latter seem to have political consequences: *Sources of the Self*, 502.
144. E.g. Walzer's discussion of publicly enforced holidays, which suggests the *goodness* of days that were "full of obligation but also of celebration, full of things to do, feasting and dancing, rituals and plays." *Spheres of Justice*, 194.
145. Sandel, "The Political Theory of the Procedural Republic," 91.
146. Beiner, 33.
147. See, e.g., Taylor, "Cross-Purposes," 166, *Sources of the Self*, 503; Sandel, "The Procedural Republic and the Unencumbered Self," 26–28; Alasdair MacIntyre, *Is Patriotism a Virtue?* (Lawrence: Department of Philosophy, University of Kansas), 1984, esp. 19 on the needs of "a large-scale modern polity."
148. Walzer, *Spheres of Justice*, ch. 2. See also Taylor, "Justice after Virtue," 45.
149. Taylor, "Cross-Purposes," 169.

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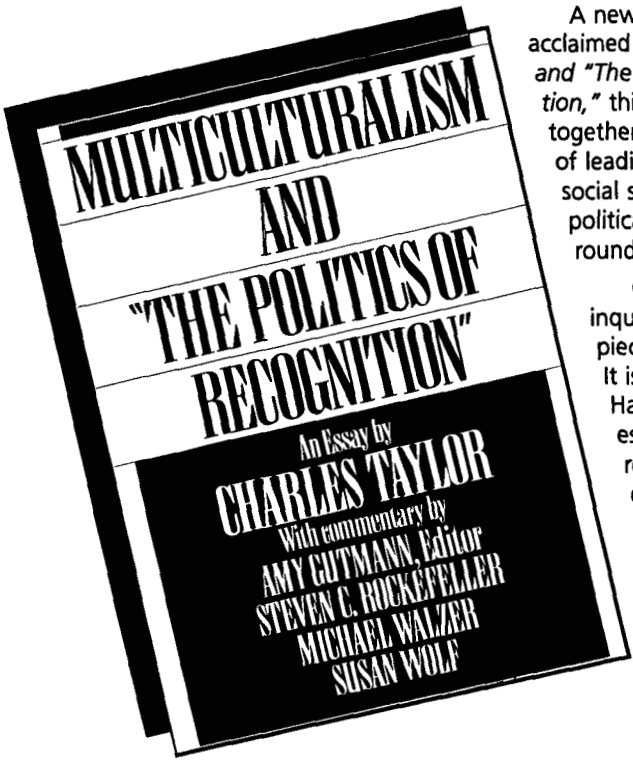

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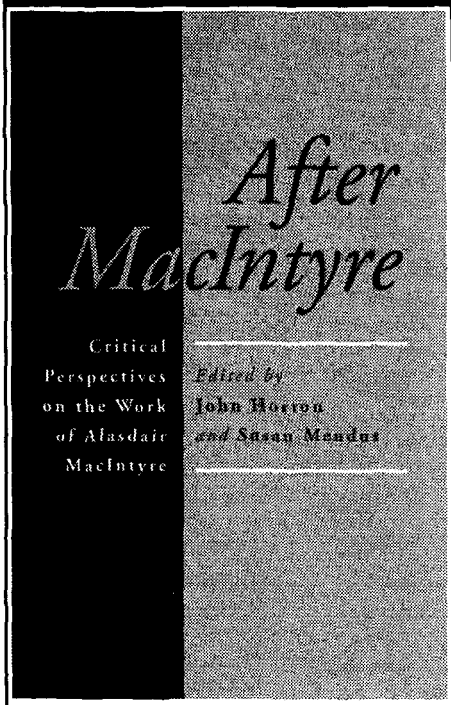

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